MYSORE GOVERNMENT SECRETARIAT

Notes/Correspondence/Collection

Department P. W. D Section Special Irrigation

Levy and recovery of Water Rate

Earlier References :—

Later References :—

Ended

(Classification A/B/C)

Notes Pages 5

Correspondence Pages 150

For/Not for Section Note Book

~~To be destroyed after~~

11-9-70 — 9f
16-7-71

8/9/71

Under Secretary to Government.

File No. PWD 86 MKS 62

MYSORE GOVERNMENT SECRETARIAT

Notes/ ~~Correspondence~~ /Collection

Department P.W.D Section General Irrigation

Subject:— Borewng of Irrigation embankment and Water rate demand in the State - Levy of Water rate in V.C area on Sugarcane

Earlier References:—

ater References:—

4136 RD

(Classification A/B/C)

Notes Pages.....

Correspondence Pages.....

For/Not for Section note Book

To be destroyed after.....

Under Secretary to Government

DOCKET SHEET

Department: (illegible)

File No. (illegible)

Section (illegible)

Volume:

SUBJECT

Number and date 1	To whom sent 2	Instructions 3
18-6-71	DS FD. S. Moses	
Secy. F.D. (W & S) Dctd. 29/6 5245		

Serial No 1 (Receipt) - Letter No: REV/IRR/1425/70-71 dated 29-8-70 from the Dist Comm. Gulbarga

The letter of the Dist. Commissioner, Gulbarga may be perused. He has furnished a reply with reference to our letter No PWD & G MCS 62 dated 17-6-70. (Vide flag 'R')

As the reply from the other Dist Commissioners are still awaited, draft reminder is put up for appl

11/9

11/9/70

14/9

Issued on 16/9/70

Sl No. 3 (Receipt) - Letter No. IRR.51.22120/70-71 dated 21-9-70 from the Dist Comm, Mysore

Sl No 4 (Receipt) - Letter No GD/IRR.S.R 119 dated 22/9/70 from the Dist Comm. Belgaum

-2-

The letter of the Dist Comm. Mysore & the Dist Comm. Belgaum may be perused. They do not only an Unerasm reply and further report from the Dist Comms. may be awaited

As the reply from the Dist Comm. B'Lore is still awaited, draft Dy. reminder is put up for appl

3/10/70

3/10

Issued on 7/10/70

Annexure A 6 (Receipt)

Letter no. RR/D/1237 dated 26.10.71 received from the Deputy Commissioner, Bangalore Dt.

Submitted for perusal. Further report will be awaited.

26/10

26/10

Sl. No. 7 (Receipt) - Letter No. D/I RR/SR-II dated 28-10-70 from the Dy. Commissioner, Belgaum

The letter of the Dy. Commissioner, Belgaum may be perused. It has furnished the particulars in reference to our letter dated 17.6.70 (Vide Flag 'R')

Similar particulars may be awaited from the other Dy. Commissioners

28
11/11

27/11

1
13/11

Sl. No. 8 (Receipt) - Letter No. D. Dis I RR/51.2 2120 dated 23/12/70 from the Dy. Commissioner, Mysore

The letter of the Dy. Commissioner, Mysore may be perused. It has furnished the particulars in reference to our letter dated 17.6.70 (Vide Flag 'R')

As the reply from the Dy. Commissioner, Bangalore is still awaited, draft Dy. reminder under the signature of D.S. is put up for appl

28
2/1/71

DS

Issue

4
5/1

4
4/1/71

Issued on 4/1/71

9/1/71

Sl No. 10 (Receipt) - Lr letter No. DPR. [illegible] 33.2/ 2193/70-71 dated 24-1-71 from the Executive Engr to the Divnl commr, Bangalore

The letter of the Divnl commissioner, B'lore may be perused. This is only an interim reply and further report from the Divnl commissioner, Bangalore may be awaited

Sl No. 11 (Receipt) - Lr letter No. DPR. [illegible] 33.2 2193/70-71 dated 29/1/71 from the Divnal commr Mysore

The letter of the Divnal commissioner, Bangalore may be perused. This is only an interim reply and further report from the Divnl commr, B'lore may be awaited

Sl No. 12 (Receipt) - letter No. A Dis. DPR. [illegible] 33 2. 2193/70-71 dated 8/6/71 from the [illegible] Divn commissioner, Bangalore -8-

The letter of the Divnl commissioner, Bangalore may be perused. He has furnished a report [illegible] in reference to our letter dated 18/6/70 (Undertaking) [illegible] He has reported that Water-rates as prescribed in the Mysore Irrigation (Levy of Water Rates) Rules 19[illegible] [illegible] being levied and collected from the year 1965-66 under the provisions in the Division and [illegible] from the collection is stopped in view of the [illegible] Court Judgement in W.P. Nos. 2333 & 2335 of 1970 holding that the above rules are ultravires.

of Urban Bangalore reported that the total amount of water rate outstanding recovery in Bangalore Town is Rs. 90,20,512/- and 20 notifications are reported to have been executed by the beneficiaries

Similar particulars have also been received from the Divisional Commissioner, Gulbarga, Divisional Commissioner, Belgaum and Divisional Commissioner, Mysore (Vide Flag 'E' 'F' & 'G')

For ready reference to para 218 of the Linked file no PLD 86 MRS 62 - Vol-I placed below (Vide Flag 'E')

3
5/6 [The reports of the Divisional Commissioners, Gulbarga, Belgaum, Mysore and Bangalore Divisions flagged 'E', 'F', 'G' and Serial no 12 may please be perused w.r. to para 218 in Volume I placed below. In view of the Judgement of the High Court striking down Rule 3 of the Mysore Irrigation (Levy of water rate) Rules, 1965, action is being taken separately to revise Rule 3 of the water rate rules. The file may perhaps be referred to the Secretary, Mysore Taxation and Resource Enquiry Committee for perusal of the reports of the Divisional Commissioners.

Si. Nuno
DS (FD)

Si Punhur
TODAY. Re. Table extracts

FD/MTLE

Relevant extracts taken as desired by the US. A copy of the extracts as placed below for perusal of the main file may be returned to the US. PWD (Tech) for further necessary action regarding S/L A. in para-9 of note.

9/7/71

9/7

3.7.71

US. PWD (Tech)

13/7

-11-

please see note-10. The F.D. has taken relevant extracts and the file is returned for taking further action regarding SL.A. as per note-9.

Below has already been taken with reference to SL.A in note-9. and a copy of the notification has been issued in GR. PHD 6 LDBW 71 dated 13/7/71

15/7/71 F.D. may see the notification placed below for information.

No necessary. Recd

14/7

GOVERNMENT OF MYSORE

No.PWD 6 LBW 71

Mysore Government Secretariat
Vidhana Soudha,
Bangalore, Date: 13th JULY '7

NOTIFICATION.

Whereas a draft of the rules further to amend the Myso Irrigation (Levy of Water Rate) 1955 was published as required sub-section (1) of section 11 of the Mysore Irrigation(Levy of Betterment Contribution and Water Rate) Act,1957 (Mysore Act 2 of 1957) in notification No.GSR 157 (PWD 6LBW 71) dated the 2 May,1971 in the Mysore Gazette dated the 27th May,1971 invitin objections and suggestions from all persons likely to be affec thereby on or before 15th June 1971;

And whereas the said Gazette was made available to the Public on 27th May 1971;

And whereas the objections and the suggestions receive on the said draft have been considered by the State Govern ent

Now, therefore in exercise of the powers conferred by section 11 of the Mysore Irrigation (Levy of Betterment and Contribution and Water Rate) 1957 (Mysore Act 28 of 1957) the Govern ent of Mysore hereby makes the following rules,namely:-

1. Title and commencement:-(1) These rules may be called the Mysore Irrigation (Levy of Water Rates)(Amendment) Rules,1971.

(2) They shall be deemed to have come into force on the first day of July 1965.

2. Insertion of new rule 3:- After rule 2 of the Myso Irrigation (Levy of Water Rates) Rules,1965, the following rul shall be inserted, namely:-

"3. Levy of Water Rates for the use of Water fro Irrigation Works:- (1) In respect of water supplied, made available or used from any irrigation work for growing the crops specified in column (2) of the Table below, water rates at the rate specified in the corresponding entries in column(3) thereof shall, in respect of each such crop grown, be levidd.

T A B L E.

Sl. No. (1)	Crops. (2)	Water Rate per Acre. (3)
1.	For Sugarcane Crop:-	
	(a) to be harvested within a period of twelve months.	.. Twenty Rupees
	(b) to be harvested after a period of twelve months but before a period of eighteen months.	.. Thirty Rupees
2.	For Paddy Crop:-	.. Eleven Rupees
3.	For any crop of Jowar, Maize, Ragi, Navane, Sajje, Pulses, Green Gram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Gingelly, Onions, Tobacco or Coriander.	.. Five Rupees and Fifty Paise.
4.	For any manurial crop such as a Sannhemp or Sesbania	.. Three Rupees.
5.	For any crop of arecanut, plantain, Betel Leaves, Turmeric, Lime, Oranges, Pomegranates, Coconut, Pepper, Mulberry or any fruit.	.. Rupees Twelve.

(2) Where Water is supplied, made available or used fr any irrigation work for irrigating any land on which any of the crops specified in Sl.Nos.2 and 3 of the Table to sub-rule (1) is grown twice in a revenue year, water rate on the second crop of such crops also shall be levied at the rate of-

(i) five rupees and fifty paise per acre, where the crop grown is paddy;

(ii) two rupees and seventyfive paise, per acre, in other cases.

(3) Where water supplied or made available from any irrigation work cannot be used for irrigating any land without bailing or using a mechanical contrivance and the water supplie or made available is used for irrigation after such bailing by using mechanical contrivance, water rates shall be levied at

half the rates specified in sub-rules (1) and (2).

(4) Where water is supplied, made available or used for irrigating any land which had not been irrigated by water before coming into force of these rules, water rates shall be levied at the following concessional rates during the first three years of irrigation of such lands, namely:-

(i) for the first year	..	Nil.
(ii) for the second year	..	One-fourth of the rates specified in sub-rules (1) and(
(iii) for the third year	..	One-half of the rates specified in sub-rules (1) and (2).

BY ORDER & IN THE NAME OF THE PRESIDENT OF INDIA.

M Channappa 14/7/71

(M.CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT
PUBLIC WORKS & ELECTRICITY DEPARTMENT

=rao=

Copies to:

1) All the Divisional Commissioners,
2) All the Deputy Commissioners,
3) All the Chief Engineers,
4) All the Executive Engineers,
5) All the Assistant Engineers.

Office of the
Divisional Commissioner
Bangalore Division
Bangalore

No.D.Dis.IRR.II.33.C.2193/70-71, Dated 8th June '71.

The Secretary to Government,
Public Works & Electricity Department,
"Vidhana Soudha", Bangalore.1.

Sir,

Sub: Levy and recovery of water rate - information re: obtaining Mutchalikas.

Ref: 1. Govt. letter No.PWD.86 MKS.62 dt.19.6.70.
2. This office letters dt.17.10.70, 14.10.70 and 28.1.70.

In continuation of this office letters cited above, I write to state that Water-rate as prescribed in the Mysore Irrigation (Levy of Water-Rates)Rules, 1965, was being levied and collected from the year 1965.66 under the Projects in the Division and now the collection is stopped in view of the recent High Court Judgment in W.P.No.2333 to 2335, 2432 to 2437 of 1970 holding that Rule 3 of the Mysore Irrigation (Levy of Water-Rate)Rules 1965 is ultra vires.

2. The Water Rate demand was being collected from the year 1965.66 and the total amount of water rate outstanding recovery in Bangalore Division is ₹90,20,512/- as reported by the Deputy Commissioners.

3. No mutchalikas are reported to have been executed by the beneficiaries. There is no need to get such mutchalikas executed by the farmers under the Projects to pay Water Rates as long as the Water-rate prescribed under the Act is in force. There is no provision for obtaining such mutchalikas by the farmers, as the Mysore Irrigation Act, 1965, does not require execution of such mutchalikas.

M.S.Shankar Rao,
Divisional Commissioner,
Bangalore Division,

Bangalore
dated: 29th March 71.

D.O.No. IRR.II.33.c.2198/70-1

Dear Shri

Sub: Levy and recovery of water rate regarding obtaining of Mutchulikas - regarding.

Ref: Govt. Letter No.PWD.86.MKS.62 dated 19-6-70.

Will you please refer to the marginally noted communications sent to you by my Gazetted Assistant on the subject? The reply called for therein has not been received, till now. The matter is urgent. A reply to Government in respect of Bangalore Division is held up for want information in respect of your District. I shall be glad, if you could bestow your personal attention in the matter and furnish your reply to the Government letter cited above, forthwith.

dated 24-6-70
17-7-70
23-9-70
D.O.17-10-70
D.O. 30-12-70
D.O.28-1-71
Savingram 6-2-71
-do- 27-2-71

Yours sincerely,

Sd/-- M.S. SHANKAR RAO.

To
Shri
Deputy Commissioner,
Kolar & Tumkur Dists.

Copy to Sri.P.R.Nagendramurthy, Deputy Secretary to Government, Public Works and Electricity Department, Vidhana Soudha, Bangalore, for information. A reply will be sent to Government on hearing from the Deputy Commissioners. This is in continuation of this office letter dated 28-1-71.

for Divisional Commissioner.

SCR 10

B.G.Kuttapa,
Gazetted Assistant to the
Divisional Commissioner,
Bangalore Division.

Bangalore,
Dated 28th Jan. 71.

D.O.No. IRR.II 33.C.2193/70-71.

Dear Sir,

Sub:- Levy and recovery of water rate--
information regarding obtaining
mutchalikas.

Ref:- 1) Govt. letter No. PWD 86 MKS 62
dt.19-6-70.

2) This office letters dated 17-7-70
and 14.x.70.

3) Your D.O. reminder dated 16-1-71.

Kindly refer to your demi-official letter cited at 3 above addressed to the Divisional Commissioner. The Deputy Commissioners of Bangalore and Tumkur Districts have not yet furnished their replies in the matter. They have been reminded again to expedite reports. I shall address Government on hearing from the Deputy Commissioners

Yours sincerely,

Kakuthpn
28.1.71

To

Shri P.R.Nagendra Murthy,
Deputy Secretary to Government,
Public Works and Electricity Department,
Vidhana Soudha, Bangalore-1.

G.J Satish
30/1/71

D.S, PWD (Irrgn).
No T 304 Date 30/1

D.P (Gl. Irrgn).
No 474 Date 30.1.71

30/1/71

(15)

P.R.NAGENDRAMURTHY,
DEPUTY SECRETARY TO GOVERNMENT,
PUBLIC WORKS & ELECTRICITY DEPARTMENT

Mysore Government Secretariat,
Vidhana Soudha,
Bangalore, Dated: 13th Jan.1971.

16.

D.O.No.PWD 86 MKS 62.

Dear Sir,

Sub: Levy and recovery of water rate-
Report called for regarding-
===

I am desired to invite your attention to this office letter No.PWD 86 MKS 62 dated 18.6.70 and the subsequent reminders of even No.dated 16.9.70 and 7.10.70 on the subject and to request that reply thereto may kindly be expedited, as the matter is extremely urgent.

Yours sincerely,

15/1/71

Sri.G.S.Srinivasan,
Divisional Commissioner,
Bangalore.

Shri R. Nagendra Murthy,
Deputy Secretary to Govt,
PUBLIC WORKS DEPARTMENT (Σ)

Mysore Government Secretariat,
VIDHANA SOUDHA,
BANGALORE: Dated.....

D.O. No.PWD. 56 MRS 62

SUBJECT: Master list.

Dear Sir,

I am desired to invite your attention to this/your office letter No. PWD 56 MRS 62 dated 16-9-70 and the subsequent reminders ~~noted in the margin*~~ of even no. dated 16.9.70 and 7.10.70. on the subject and to request that reply thereto may kindly be expedited, as the matter is ~~long pending~~/extremely urgent/ ~~for want of reply from you~~.

1)	PWD 56 MRS 62 dt 16-9-70
2)	dt 7-10-70
3)	
4)	
5)	
6)	

Yours sincerely,

To:

Shri G.S. Sowrirajan, I.P.S.,
~~Chief Engineer~~ Divisional Commandant,
Bangalore.

9/11/71

Government of Mysore

D.Dis.IRR.51.c.2120/ No. 70-71.
~~Encls~~.

Office of the Divisional Commissioner,
Mysore Division,
Mysore-5, dated 23rd Decr.1970.

To

The Secretary to the Govt. of Mysore,
Public Works & Electricity Department,
P.B.No.346, Vidhana Soudha, Bangalore.1.

Sir,

Sub:-Levy and recovery of water-rate - Report called for regarding -

Ref:-Govt.letter No.PWD 86 MKS 62 dated 17-6-70.

2. This office memo of even number dated 25-6-70 to the Deputy Commissioners of the Districts.

The Deputy Commissioners of the Districts have reported that water rates as prescribed in the Mysore Irrigation (Levy of water-rate) Rules, 1965 (as amended)are being booked and collected under the Projects in their jurisdiction from 1-7-65 and onwards. The water rate amounts outstanding for recovery in the Districts of this Division are indicated hereunder:

Sl. No.	Name of the Dist.	Amount outstanding recovery.	Arrears as at the end of.
1.	Dy.Commr. Mangalore	Rs. 12,61,987-77	June 1970
2.	-"- Chickmaglur	12,67,060-00	March '70
3.	-"- Mysore	76,45,944-97	Aug: '70
4.	-"- Hassan	31,66,009-98	Oct: '70
5.	-"- Mandya	56,56,233-00	-do-
6.	-"- Coorg (Mercara)	1,01,962-02	-do-

As regards the muchalikas executed by the ryots specifying the water-rates that could be paid as was done in the case of Krishnarajasagar, the Deputy Commissioners report that no such muchalikas have been executed by the beneficiaries of the other Projects in their Districts.

Yours faithfully,

(K.L. NINGANNA), 23/12/70
for Divisional Commissioner,
Mysore Division.

(DRAFT APPROVED BY THE DIVISIONAL COMMISSIONER).

23/12/70

Sub : Levy and collection of water rate.

No. GB/ IRR SR 119.
Belgaum, 28-10-1970.

To

The Secretary to Government,
Public Works & Electricity Dept.P.B.No. 346,
Vidhana Soudha,
BANGALORE-1.

Sir,

Reference Govt. letter No.PWD 86 MKS 62 dated 17-6-70 on the above subject.

The Demand, collection and Balance statement in respect of major and medium irrigation works of this division is enclosed herewith. The procedure reg. execution of mutchalikas, as in the case of Krishnarajasagar is not in vogue in this division. The water rates as prescribed in the Mysore Irrigati (Levy of Water Rate)Rules 1965 are being levied in respect of all the irrigation works with effec-t from 1-7-1965. These Rules also do not prescribe the execution of any such undertakings. The work of levy and collection of water rate is in progress.

Prior to 1-7-1965 the water rates were charged under the Bombay Irrigation Act and the Bombay Canal Rules under which also no such mutchalikas were prescribed.

Yours faithfully,

(D.S.Khadabadi)
For Divisional Commissioner, Belgaum

vgn 28/10/c.2

Demand, Collection and Balance statement of Water Rate -

Sl.No.	Name of the work (Major and medium.).	Amount of water rate booked for the years from 1965-66 to 68-69.	Amount collected from 1-7-65 to 1-6-1970.	Balance.
	Belgaum district.			
	Ghataprabha Project.	37,08,052.	27,69,702	,38,350.
	Kolchi weir.	1,94,691	1,22,650	72,041.
	BIJAPUR DISTRICT.			
	Kalaskop tank.	79,369	29,375	49,994.
	Ramanahalli "	1,53,910	89,321	64,589.
	Nagathan "	13,433	9,893	3,540
	Areshankar "	15,208.	7,939	7,269
	DHARWAR DISTRICT.			
	Dharma Project.	12,86,536	2,09,543	10,76,993

vgn 28/10.c.2

(D.S.KHADABADI)
For Divisional Commissioner, Belgaum.

No.IRR II 330 293/70-71.

Office of the Divisional Commissioner
Bangalore Division,
Bangalore-1, 14th October 1970.

R. & I. SECTION
P. W. & Elec. Depts.
No. 61049
Date. 16.10.70
Section. R2
5622

The Secretary to Government,
Public Works & Electricity Department,
Vidhana Soudha, BANGALORE-1.

Sub: Levy and recovery of water-rate -Information reg: obtaining mutchalikas.

Ref: Your D.O. reminder No.PWD 86 MKS 62, dt.7-10-70.

I write to state that the information called for from the Deputy Commissioners other four Districts of this Division are still awaited. To-day, I have reminded them demi-officially to furnish their replies. I shall furnish the information required by Government immediately on receipt of the particulars from the Deputy Commissioners of Districts.

Yours faithfully,

14-X-70

for Divisional Commissioner,
Bangalore Division.

/Srr/-

J.K. MOHAN,
Under Secretary to Government,
Public Works & Elecy. Department.

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,
BANGALORE. DATED: 7 OCT'1970.

D.O. NO. PWD 86 MKS 62:

Dear Sir,

Sub: Levy and recovery of water - rate - Report called for regarding.

-o-

I am desired to invite your attention to this Office letter No. PWD 86 MKS 62 dated 18-6-70 and the subsequent reminder of even number dated 16-9-70 on the subject and to request that reply thereto may kindly be expedited, as the matter is urgent.

Yours sincerely,

Shri G.S. Srinivasan, I.A.S.,
Divisional Commissioner,
B A N G A L O R E.

GOVERNMENT OF MYSORE

..... S.K. Mohan .....
..Under.. SECRETARY TO GOVT,
PUBLIC WORKS DEPARTMENT(T)

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

BANGALORE: DATED.....

No. PWD. S.B. MIS 12

SUBJECT:.....Ds. at Lagg. Jl. Cr.....
.....

Dear Sir,

I am desired to invite your attention to this/~~your~~ office letter No. PWD. S.B. MIS 5.2.....dated. 18-5-70....and the subsequent reminder/~~noted in the margin*~~, on the subject and to request that reply thereto may kindly be expedited, as the matter is ~~long pending~~/ ~~extremely~~ urgent/ ~~for want of reply from you~~.

Yours sincerely,

Section Officer

*
1) Letter number 416
2)
3)
4)
5)
6)

To

Shri. S.S. Srinivasan, I.A.S.,
~~Chief Engineer~~ (Works and Housing)
.....Bangalore.....

No.GB/IRR.SR.119.
Belgaum.Dated 22/9/1970.

To

The Secretary to Government,
Public Works & Electricity Department,
P.B.No.346,Bangalore-1.

Sir,

Subject :- Levy and Recovery of water Rate.

Reference: Govt. letter No. PWD. 86. MKS. 62 dated 16-9-1970.

Information is still awaited from the Deputy - Commissioners of Belgaum and Dharwar despite reminders. They are reminded again. A report will be sent to Government as soon as the information is received from them.

Yours faithfully,

(D.S. Khadabadi.)
For Divisional Commissioner,Belgaum

cms/22-9/c.3.

Government of Mysore

No.IRR.51.c.2120/70-71.

Office of the Divisional Commissioner,
Mysore Division,
Mysore-5, dated 21st Sep.1970.

3420/611/70

To

The Secretary to the Govt. of Mysore,
Public Works and Electricity Department,
P.B.No.346, Vidhana Soudha, Bangalore.1.

Sir,

Sub:-Levy and recovery of water-rate -
Report called for regarding -

Ref:-1. Govt.letter No.PWD 86 MKS 62
dated 17-6-70 and 16-9-70.

2. This office memo of even number
dated 25-6-70 and 1-9-70.

The information called for in this office memo cited second is yet to be received from the Deputy Commissioners of Mysore, Mandya, Hassan and Coorg districts. They have failed to furnish the reports despite issue of a D.O.letter on 1-9-70. I am requesting them again to-day to expedite their reports. The consolidated information will be sent to Government soon af the receipt of reports from the Deputy Commissioners.

Yours faithfully,

(K.L. NINGANNA), 24/9/70
for Divisional Commissioner,
Mysore Division, Mysore.

(DRAFT APPROVED BY THE DIVISIONAL COMMISSIONER).

GOVERNMENT OF MYSORE

No. PWD 86 MKS 62

MYSORE GOVERNMENT SECRETARI
VIDHANA SOUDHA,

Dated, Bangalore,...16 Septr....1970.

FROM

The *Secretary to the Government of Mysore,*
Public Works & Electricity Department.

To. The Divisional Commissioner,
Bangalore/Belgaum/Mysore.

Sir,

Subject:- Levy and recovery of water rate.

I am directed to invite a reference to the Government letter PWD 86 MKS 62 dt 18.6. on the above subject and to request you kindly to expedite your reply as the matter is urgent.

Yours faithfully

Sd/-

(S.K.MOHAN)
Under Secretary to Government
Public Works & Electricity Depart

Section Officer
M.P.L.A.D (C.A.I. Wing)

GOVERNMENT OF MYSORE

No.PWD 86 MKS 62

Mysore Government Secretariat,
Public Works & Elecy.Department.
Vidhana Soudha
Bangalore, Dt. 1968.

From

The Secretary to the Govt. of Mysore,
Public Works & Elecy.Deptt., Bangalore.

To

~~The Chief Engineer, IP, South/North, (G1), Investigation~~
The Divisional Commissioner ~~Bangalore/Dharwar~~
1) B'lore 2) Belgaum 3) Mysore

Sir,

Sub: As at page ----1/------C.F.

I am directed to invite a reference to the Government letter ~~Memo No.~~ PWD 86 MKS 62 dt 18/6/68 ~~Date~~ ~~the subsequent reminder of even No. dated~~ ~~and your letter No.~~ ~~dated~~ on the above subject and to request you kindly to expedite your reply as the matter is urgent/~~long pending~~.

~~This is pending since.....for want of your reply.~~

Yours faithfully,

~~Section Officer, PWD (G.I.)~~

for 4/-

GOVERNMENT OF MYSORE

OFFICE OF

the Divisional Commissioner, and

Administrator, T.B.P., Gulbarga :

Date 29th August, 1970 :

No REV/IRR/1175/70-71.

To

The Secretary to Government of Mysore,

Public Works & Electricity Department,

Vidhana Soudha, BANGALORE-1.

Sir,

Subject:- Levy and recovery of Water rate.

Reference: Government letter No.PWD 86 MKS 62 dated 17-6-1970.

===

The Deputy Commissioners of Gulbarga, Bidar, Bellary and Raichur have reported that Water-rates as prescribed in Mysore Irrigation (Levy of Water Rates) Rules 1965 are being collected under the Projects in their Districts. The year from which Water-rate is being collected and the amounts outstanding are as noted below:-

District.	Projects.	Year from which water rate is being collected.	Amounts outstanding.
1. Gulbarga	1) Hattikmni Project.	1968-69	Rs. 4,843.35
2. Bidar.	There are no Projects in Bidar Dist.	--	--
3. Bellary.	1) TBP Low Level Canal.	1-7-1965	Rs.71,76,840.00
	2) -do- High "	-do-	Rs. 1,98,144.00
	3) Vijayanagar "	-do-	Rs. 8,61,584.00
	4) Bhadra Project	-do-	Rs. 85,416.00
			Rs.83,21,984.00
4. Raichur.	TBP & RDS.	1965-66.	Rs.65,97,071.83

The Deputy Commissioners have also reported that no Mutchalikas were exeeuted by the beneficiaries under the Projects in their Districts and that the Water-rates are being levied and collected as prescribed in the aforesaid Rules.

Yours faithfully,

For Divisional Commissioner,
Gulbarga.

Serial No.

1) Letter No.IWC3/1512/59-60 dated 29-1-1960 from the Director, Efficiency Audit and Anti-corruption partment - forwards a report of the Team in respect Mandya Dist.

Remarks of the Secretary, PWD.

2) "A brief review may be put up".

Itld. D.K.S.
1-2-1960

3) The Team has taken up the work of verificatio the Districts of Mandya and Shimoga. It is stated the maintenance of records in almost all the PWD o ces visited by the Team is most unsatisfactory an effort has been made to keep them properly arrange and filed. In the Sagar Division and in the Sub-D sion at Krishnarajapet the records are stated to hav been dumped in a corner in a pelmel condition like mound with an inch or two of dust on it. Due to t it is stated that much information could not be ed from these offices. However efforts are stated be being made to collect as much data as possible all sources.

4) Statements showing the demand to be booked in pect of Nagamangala taluk and Krishnarajapet taluk been sent for information. It is stated that acco ing to these the amount of contribution now to be taken on demand in these 2 taluks comes to Rs.6,91, and Rs.2,48,044.87 respectively. The additional de of water rate to be booked in Nagamangala taluk is stated to come to Rs.79,570.10 upto the end of 1959 and that to be booked in K.R. Pet taluk comes to Rs.1,328.00 in respect of a few works. For the oth works particulars like date of giving water, acrea etc. are stated to have been called for from the and the Director promises to send a further report

Serial No.

5) The statements in respect of these two taluks viz. Nagamangala and K.R. Pet are stated to be being sent to the D.Cs., E.Es. and Tahsildars concerned for taking further needful action.

6) It is further stated that in respect of the above mentioned taluks except for ~~the~~ a few cases, no intimation of the demand has been sent by the E.Es. to the Revenue authorities concerned to book the demand, so much so, that almost the entire amount recoverable from the ryots has now to be booked.

7) Regarding booking of Water Rate it is stated that information like date of giving water, date of completion of works etc. have not been furnished in respect of K.R. Pet taluk and the E.E. Mandya Division has been addressed for furnishing these details to facilitate booking of Water Rates as per data indicated in the statement.

8) The Director reiterates that maintenance of records requires much to be desired both at the level of the Division and the Sub-Division. } A

9) Further report will have to be awaited from the Director, Efficiency Audit and Anti-corruption Dept.

10) The point mentioned at A above (para 8) will be brought to the notice of the S.E.s concerned and if necessary circular will be issued in this behalf.

11) Yes; issue orders of

GG 204 9/12

WD 04559—GPB—PZS—2.00,000—1958

Serial No.

1) Letter No.IWC3/E512/59-60 dated 23-1-1960 from the Director, Efficiency Audit and Anti-corruption Department - forwards a report of the Team in respect Mandya Dist.

Remarks of the Secretary, PWD.

2) "A brief review may be put up".

Itld. D.K.S.
1-2-1960

3) The Team has taken up the work of verification the Districts of Mandya and Shimoga. It is stated t the maintenance of records in almost all the PWD offices visited by the Team is most unsatisfactory and effort has been made to keep them properly arranged and filed. In the Sagar Division and in the Sub-Division at Krishnarajapet the records are stated to have been dumped in a corner in a pelmel condition like a mound with an inch or two of dust on it. Due to thi it is stated that much information could not be collected from these offices. However efforts are stated t be being made to collect as much data as possible f all sources.

4) Statements showing the demand to be booked in pect of Nagamangala taluk and Krishnarajapet taluk have been sent for information. It is stated that according to these the amount of contribution now to be taken on demand in these 2 taluks comes to Rs.6,91,5 and Rs.2,48,044.87 respectively. The additional dem of water rate to be booked in Nagamangala taluk is stated to come to Rs.79,570.10 upto the end of 1959- and that to be booked in K.R. Pet taluk comes to Rs.1,328.00 in respect of a few works. For the othe works particulars like date of giving water, acrea etc. are stated to have been called for from the E. and the Director promises to send a further report due course..

RD 160356

Government Secretariat | File No. 7 of 195 | [App. F. II

Serial No.

12) A draft circular put up in for consideration

13) Issued. Also write to HS Ed Cover cl A separately

14) Issued In No. PWD 14 Gl G 60
Dated..... 15/2/60

15) Another draft in put up w.r.t. to para 13

16) Secy P.W.& F.) to see

17) RD to FD my secy

RD
FD

D. K. SP[illegible] VASACHA
Secretary to Govt. P. W. D. &

18) hrs. 22/2/60
U.S.(G)

19) PWD

20) Submitted for perusal and approval of the draft put up

21) Issue to T/3

22) Issued In No. PWD. 14 Gl G 60
Dated..... 5-3-60

23) Issued and Records to S/3. Secy PWD

GOVERNMENT OF MYSORE
9281
17 FEB 1960
PUBLIC WORKS & ELEC. DEPTT.

REVENUE DEPARTMENT
18 FEB

FINANCE DEPARTMENT
9271
22 FEB 1960

GOVERNMENT OF MYSORE
9415
24 FEB 1960
PUBLIC WORKS & ELEC. DEPTT.

File No. of 195 .

Mysore Government Secretariat

Serial No.

25) Letter no. 48568 dated 10.3.60 from the E.E., Kolar Dn. forwarding a copy of the letter addressed to the S.P. Bangalore circle on the subject.

26) Letter no. 1117 dated 19.3.60 from the A.E., Krishnarajapet Sub Dn on the subject.

27) Submitted for perusal. Report from the E.E., Sagar Dn is awaited. A reminder put up is for approval

28) Issue

29) not issued.

30) Letter no. 236 dated 22.3.60 from the E.E., Sagar Division on the subject.

31) Letter no. D Dis. 9805/59.60 dated 22.3.60 from the E.E. Local Canal Dn, Nugalur.

32) Letter no. TS/60 dated 2.4.60 from the E.E., Nallavati Bridge Dn, Hanfalu.

33) Submitted for perusal the letter of the E.E., Sagar Dn w.r. to paras 13 to 19.

34) Please put received Cir separately a file for the 15/4

Serial No.

35) Letter No.IWC.3/1512/59-60 dated 9/11-4-60 from the Director, Efficiency Audit and Anti Corruption Department-Forwards the report of the team for verification of booking of irrigation contribution and water rate demand along with statements in respect o Srirangapatna and Pandavapura Taluks.

~~36) Submitted for perusal.~~

37) The booking of demand in respect of Chikballapu Taluk is stated to have been verified with reference ~~to the Statements furnished by the team. The mistak~~ noticed are stated to have been rectified and to guide the officials of the taluk offices the ledge have been filled up, after making sample entries.

38) The team is stated to have suggested that in order to avoid such mistakes being committed in the other taluks the Revenue Auditors attached to the Divisions should be asked to look after proper booki after taking instructions from the Special Assistant Commissioner. Orders of Government on this is stated ~~to be awaited. It is not known as to when this~~ suggestion was made.

~~39) The demand in respect of Kolar District is xxx stated to pertain mostly to contribution. The E.Es~~ of kolar and Chickballapur are stated to have not furnished the data pertaining to water rate so far. However they are stated to have promised to furnish these particulars by the end of April 60 and the Director, E.A.& A.C Deptt. promises to send a ~~supplemental statement after receipt of information.~~

40) The Team has furnished demand statements in respect of Srirangapatna and Pandavapura Taluks of ~~Mandya District. Much data is stated to be wanting~~ here also and the E.Es are stated to have been addressed in the matter.

Serial No.

Irrigation Act empowers Government to revise water rates after a period of 10 years from the first publication of the scheme. Even the mutchalika executed, the powers to revise the rates have been indicated, which empowers Government to revise for the first time after 6 years and thereafter every 10 years subject to the condition that the first revision shall not be in excess of 25% over the existing rates. Article 53 of the Land Revene Code also authorises revision of water rates by Government In respect of K.R.Sagar water rate is being recovered since 1937 and hence he states that there appears to be no impediment in the way of booking the revised water rate demand limiting it to 25% above the existing rates. Village war statistics of sugar cane crops under V.C. has been collected and the differenc in water rate from 1956-57 has been indicated in the statements now furnished. Requests approval to the above.

13) Contribution and water rate that has to be booked in respect of Srirangapatna Taluk is stated to come to Rs.1,32,622.73 and Rs.21,279.03 inclusive of water rate on sugar cane crops, respectively and that in respect of Pandavapura Taluk is Rs.1,35,390.50 and Rs.40,929.69 inclusive of water rate on sugar cane crops respectively. These figures are stated to be only tentative and these would go up when complete data is made available by the E.Es. Promises to send a supplementary statement after receipt of particular

14) Data in respect of the other taluks of Mandya and Shimoga Districts is stated to be being verified and promises to send further report in this regard.

Mysore Government
Secretariat

Serial No.

45 ½. indicate the points on which orders are to be obtained

CWP

46) The main points on which orders are required are :-

1) The Revenue Auditors attached to the Division should be asked to look after proper booking of Contribution and water rate after taking instructions from the Special Asst. Commissioner ;

2) The existing water rate of Rs 10/- per acre for ~~paddy~~ being recovered in Sugar cane crops in the U.C. area should be revised as suggested at para 42 of the notes.

3) and approval to the Statements prepared and submitted by the Team in respect of Srirangapatna and Pandavapura Taluks, taking into account the differences in water rate from 1956-57.

47) we may approve the suggestions made by the Team in consultation with R-D. A brief review of the Team's report is put up in paras 37 to 44 above. The main points on which orders of Govt have to be passed are listed in para 46 above.

19/6/60

Secy (PW & D)

Serial No.	
	Irrigation Act empowers Government to revise water rates after a period of 10 years from the first publication of the scheme. Even the mutchalika executed, the powers to revise the rates have been indicated, which empowers Government to revise for the first time after 8 years and thereafter every 10 years subject to the condition that the first revision shall not be in excess of 25% over the existing rates. Article 53 of the Land Revene Code also authorises revision of water rates by Governm In respect of K.R.Sagar water rate is being recover since 1937 and hence he states that there appears t be no impediment in the way of booking the revised water rate demand limiting it to 25% above the exis ting rates. Village war statistics of sugar cane crops under V.C. has been collected and the differe in water rate from 1956-57 has been indicated in th statements now furnished. Requests approval to the above.
	13) Contribution and water rate that has to be booked in respect of Srirangapatna Taluk is stated to come to Rs.1,32,622.73 and Rs.21,279.03 inclusive of water rate on sugar cane crops, respectively and that in respect of Pandavapura Taluk is Rs.1,35.390. and Rs.40,929.69 inclusive of water rate on sugar ca crops respectively. These figures are stated to be only tentative and these would go up when complete data is made available by the E.Es. Promises to se a supplementary statement after receipt of particul
	14) Data in respect of the other taluks of Mandya and Shimoga Districts is stated to be being verified and promises to send further report in this regard. Mr Rao

Mysore Government Secretariat

File No. of 195 .

[App. F. III 2

Serial No.

48 The attention of the Div. Commissioner Mysore and the concerned Dep. Commr. will be drawn to the serious position reg. the non-booking of water-rate demand

49 The legal issue raised reg. the enhancement of the water rate will be decided in consultation with R and final orders issued so that Tahsildars will have no doubts on this score.

B Subbarao 21/4

B. SUBBA RAO Dy. Sec.

50) D.M. (PWE) / M. (PWE) — 23/4

M. N. NAGHNOOR, Dy. M., P. W. & Elec.,

51) Here

52) Draft put up for consideration.

52) Done. After issue, action may be taken on para 49 above

53)

54) Issued in No. PWD Dated 14/5/60

55) ~~Attention of the Divisional Officers and Executive Engineers regarding non-collection of water rates in the Area is agreed~~

DEPUTY MINISTER FOR PUBLIC WORKS & ELECTRICITY — No. 7806 — 21 APR 1960

OFFICE OF THE MINISTER FOR PUBLIC WORKS & ELECTRICITY — No. 1997 — 23 APR — BANGALORE

SECRETARY TO — No. 9732 — 2 MAY 1960 — PUBLIC WORKS & ELECTRICITY

Mysore Government Secretariat

V File No. SD32/59 of 195 .

Serial No.

~~Draft at #2. May be referred to R.D. for~~
~~remarks. Ref para #7.~~

55) A synopsis of the case viz. revision of water rate in the V.C. Area as suggested by the Team is at paras #1 and #2 of the notes. May be referred to R.D. for remarks.

~~56) For favour of remarks~~
eo
1/6/60
U.S PWD

RD)

57) PWD will kindly indicate the G.O. on the basis of which the water rate of Rs 10 per acre for sugarcane is being assessed from 1937. A copy of the G.O. dated 11/5/56, referred to in para 4 supra, may also be made available along with the report of the D.Cs concerned for not complying with it.

hers
26/5/60.
U.S (G)

PWD)

58) The Director, Efficiency Audit will be requested to forward a copy of the G.O. according to which Rs 10/- per acre for sugarcane is being assessed as well as copies of reports of the D.Cs & supdg. Engr. Copy of the G.O. dated 11.5.56 will also be sent to the R.D. after receipt of the above from the Director. A draft is put up.

Done
eo
1/6

59

Issued in No. PWD 14 Gl G 60
Dated 1. 6. 60

WD 04700—GPB—PZS—8,00,000—1958

MYSORE GOVERNMENT SECRETARIAT
No.
14 MAY 1960
REVENUE DEPARTMENT

Submitted
25/5.

PUBLIC WORKS & ELEC
27 MAY 1960

DEPUTY SECRETARY
No. 5842
28-5-60.
GOVERNMENT OF

Issued
10/6/60

Verifications & bookings of Irrigation Contribut and Water Rate Demands.

Mysore Government Secretariat

PW File No. 14 GIG of 1960. [App. F. III 2

Serial No.	
	letter No. / WC 3/1572/59-60 Dated 8 June 1960 of the Director, A. C. & T. A. Technical Audit (PWD) Bangalore
60)	Subd for perusal.
61)	The Director A.C. & T.A, Banga has intimated that the D.C. Mandya been requested to send a copy the G.O. and other correspondence on subject. Further reply from him will be awaited.
	AR 20/6.
	letter No. / WC. 3/1512/59-60 dated 15-6-6 of the Director, AC and T.A. (PWD) Banga
62)	Subd for perusal.
	The Director has sent a copy of th G.O. C93-120/KSS 570-597 Dated 8-6-19 regarding the levy of Contribution and Water Rate on the Atchkat under the V C System and has intimated that further correspondence made between the Tahsildar and the Deputy Comm will be forwarded on receipt from t DC Mandya. Further reply will be awaited.
63)	AR 20/6. What about the Go. dt. 11.5.56
64)	There are a few more receipts on this Conspect. Pl. pass them also
	21/6

File No. PWD/14 G/G 60 of 195.

Mysore Government Secretariat

RD 5295

Serial No.

Reference is invited to paras 63 and 64 N.7. The Director will be requested to arrange to send a copy of the G.O. Draft letter is put up for approval. (65

The references received have been Subd. No other reference is pending with me. (Ref. Para. 64 N.7) (66

5/7/60

R. send requisition to Records in the first instance. If it is not forthcoming the Dr. may be requested Thereafter (67

MYSORE GOVT. No SW REVENUE DEPT.

CW

29/6 A copy of the GO ~~dt~~ 11-5-56 is placed below (Flag "G" of the Proceedings Volumes) (68

dh 29/6. May be returned (RD). (69

Ref. Paragraph 57 auto

30/6 CW 4/7 U.S. PWD (70

RD)

Submitted. The remarks of the Divisional Commissioner may in the first instance be obtained (71

1/12/7 bm 12/7/60 U.S.(A)

PWD)

SECRETARIAT TO GOVERNMENT No. 9102 12 JUL 1960 PUBLIC WORKS & ELF

Draft letter to the Dl. Commissioner, Mysore is put up for approval. (73 Get it sd 13/7

dh 14/7. Issue CW 13/7 (74

Issued in No. PWD 14 G 1 60

Dated 26.7.60

WD 04700—GPB—PZS—8,00,000—1958

14/5/60

File No. S032 / of 195 .

Mysore Governme
Secretariat

Serial No.

~~paras~~ 1 to 3 may be referred to R.D. for remarks. Refs para 4?

5) The synopsis of the case viz. revision of water rate in the V.C. Area as suggested by the Dean is at paras 1 and 2 of the notes. May be referred to R.D. for remarks.

6) For favour of remarks

ES
14/5
U.S PWD

RD)

7) PWD will kindly indicate the G.O. on the basis of which the water rate of Rs 10 per acre for sugar cane is being recovered from 1937. A copy of the G.O. dated 11/5/56, referred to in para 4 supra, may also be made available along with the report of the D.Cs concerned for not complying with it.

hrs
26/5/60.
U.S (G)

PWD)

8) The Director, Efficiency Audit will be requested to forward a copy of the G.O. according to which Rs 10/- per acre for sugar cane is being recovered as well as copies of reports of the D.C's & Supdt. Copy of the G.O. dated 11.5.56 will be sent to the R.D. after receipt of the above from the Director.

A draft is put up.

Done
ES
1/6

159

Issued in No. PWD 14 GI G 60

Dated..... 4. 6. 60

WD 04700—GPB—PZS—8,00,000—1958

Submitted
for
25/5.

ES
27/5

Revised fee
10/6/60

Mysore Government Secretariat

File No. of 195 .

[App. F. III 2

Serial No.

48 The attention of the Div. Commissioner Mysore and the concerned Dep. Commr will be drawn to the serious position reg. the non-booking of water-rate demand

49 The legal issue raised reg. the enhancement of the water rate will be decided in consultation with and final orders issued so that Tahsildars will have no doubts on this score.

B Subbarao
21/4

B. SUBBA RAO
Dy. S.

50) D.M. (PWE) / M. (PWE) — 23/4

M. N. NAGHNOOR,
Dy. M., P. W. & Elec.,

51) Hlee

— Dy. SRINIVASAPPA.

52) ✓ draft put up is for consideration.

53) Issue. After issue, action may be taken on para 6(a) above

54) Issued in No. PWD Dated 14.5.60

55) ~~Delegation of powers to Executive Engineers for sanction of estimates for water supply schemes in the Districts etc. Para 6 is agreed~~

DEPUTY MINISTER FOR PUBLIC WORKS
No. 7 886
21 APR 1960
OFFICE OF THE DEPUTY MINISTER FOR PUBLIC WORKS & ELECTRICITY

OFFICE OF THE MINISTER FOR PUBLIC WORKS
No. 197
23 APR 19
BANGALORE

SECRETARY TO G
No. 9732
2 MAY 1960
PUBLIC WORKS & ELECTRICITY

14/5/1960

File No. 5032 / of 195.

Mysore Government Secretariat

Serial No.

~~Papers forwarded may be referred to R.D. for~~
~~remarks. Ref para 44.~~

55) A Synopsis of the case viz. revision of water rate in the V.C. Area as suggested by the Asst is at paras 41 and 42 of the notes. May be referred to R.D. for remarks.

~~56)~~ For favour of remarks

eo
13/5
U.J pwd

RD)

57) PWD will kindly indicate the G.O. on the basis of which the water rate of Rs 10 per acre for sugarcane is being recovered from 1937. A copy of the G.O. dated 11/5/56, referred to in para 41 supra, may also be made available along with the report of the D.Cs concerned for not complying with it.

hrs
26/5/60.
U.S (G)

PWD)

58) The Director, Efficiency Audit will be requested to forward a copy of the G.O. according to which Rs 10/- per acre of sugarcane is being recovered as well as copies of reports of the D.Cs & Supdt of Copy of the G.O. dated 11.5.56 will be sent to the R.D. after receipt of the above from the Director.

A draft is put up.

Done
eo
1/6

159

Issued in No. PWD 14 GI G 60

Dated..... 1. 6. 60

WD 04700—GPB—PZS—8,00,000—1958

MYSORE GOVERNMENT SECRETARIAT
No.
14 MAY 1960
REVENUE DEPARTMENT

Submitted
25/5

27 MAY 1960
PWD WORKS & ELEC.

DEPUTY SECRETARY
No. 5042
28-5-60
GOVERNMENT OF

Issued
10/6/60

Verification of bookings of irrigation contribution and Water Rate Demands.

Mysore Government Secretariat

PW File No. 114 GIG of 1960. [App. F. III 2

Serial No.	
	letter No. 1WC.3/1572/59-60 Dated 8th June 1960 of the Director, A.C. & T.A. Technical Audit (PWD) Bangalore
60	Subd for perusal.
61	The Director AC. & T.A, Bangalore has intimated that the D.C. Mandya has been requested to send a copy of the G.O. and other correspondence on the subject. Further reply from him will be awaited. AR 20/6.
	letter No. 1WC.3/1512/59-60 Dated 15-6-60 of the Director, AC and T.A. (PWD) Bangalore
62	Subd for perusal. The Director has sent a copy of the G.O. C93-120/KSS 570-597 Dated 8-6-193 regarding the levy of Contribution and Water Rate on the Atchkat under the V C System and has intimated that further correspondence made between the Tahsildar and the Deputy Commr. will be forwarded on receipt from the DC Mandya. Further reply will be awaited.
63	AR 20/6. What about the Go. dt. 11.5.56?
64	There are a few more receipts on this subject. Pl. pass views also
	66.11. end

12

File No. PWD/14 G/G 60 of 195.

Mysore Government Secretariat

RD 595 G-1

Serial No.

Reference is invited to paras 63 and 64 N.7. The Director will be requested to arrange to send a copy of the G.O. draft letter is put up for approval. (65

The references received have been Subd. No other reference is pending with me. (Ref. Para. 64 N.7) (66

Pl. send requisition to Records in the first instance. If it is not forthcoming the Dr. may be requested thereafter (67

dk 29/6 CW

A copy of the G.O. dt 11-5-56 is placed below (Flag "G" of the Proceedings Volumes) (68

dk 29/6. May be returned to R.D. (69

Rly. Paragraph SY auto (70

dk 30/6 CW 4/7 U.S. put up

RB)

Submitted. The remarks of the Divisional Commissioner may in the first instance be obtained (71

dk 12/7 12/7/60 U.S.(G)

PWD)

Draft letter to the Dl. Commissioner, Mysore is put up for approval. (73 Get it from

dk 14/7. Done CW 13/7 (74

Issued in No. PWD 14 G/G 60.

Dated 26.7.60

WD 04700—GPB—PZS—8,00,000—1958

Serial No.

Letter No. WC.3/1572/59-60 Dated 1-8-60 of the Director A.C and T.A., Bangalore

75) Remarks of Secy, PWDs. on P.U.D. "Where is it pending? Please discuss." Sd/- G.V.K.

76) Subd for perusal. The previous references are at flag Q and R. The first letter of the Director, A.C and T.A. is Dated 29-1-1960 where as He has quoted the date as 29-2-1960.

77) He has invited reference to the enclosures forwarded with his letter of 9-4-1960. Reference is invited to the last para of his (X) letter dated 15-6-60 wherein particulars are incomplete and the Director has not furnished the correspondence between the Talukdar and the D.C. which was called for in Govt. letter of (Y) 4-6-60.

78) In the absence of the full particulars the Divisional Commissioner, Mysore Div has been addressed (X) to give his opinion on the note forwarded by the Director A.C & T.A., Bangalore (Ref Paras 71, 72 and 73 N.7).

79) The Director, A.C. and T.A. will be requested to forward a copy of the letter of 29-2-1960 which has not

Page 7 C.7.

P. 4 C.7

P. 5 C.7

Serial No

been received. or he will be requested to intimate whether the date furnished in the first reference of the P.W.D. is correct, if approved. Draft letter dd 18 put up for approval. 79

11/8/60 The points on which orders of Govt are solicited by the Dr of T.A. are enumerated in paragraph 6th of the Note. The orders on them are passed as in paragraph 6 8 to 51 of the note. 80

The Div: Conr has been requested on 11.5.60 (Pag 3CE) to direct the Concerned D.C.s to take up the question of booking of demand immediately & to forward a report in the matter. It is still awaited 81

As regards point 2 re: revision of existing water-rate in the V.C. area. the Div: Conr has been requested, as per suggestion of PWD in paragraph 11 of the note to furnish his opinion remarks on the several points raised by the Director in his note at page 2(A) on 26.7.60. (Pag 8CE) His remarks are awaited. 82

Since Correspondence on these matters take much time, for obvious reasons, it may be desirable to thrash out these points on which orders of Govt are solicited by the Director at a meeting of the Div. 83

Bookings of water Rate and Irrigation Contribution Demand — Suggestions of the

Mysore Government Secretariat

File No. PWD 14 G 1 G 60 of 1960 [App. F. III 2 — tear

15

Serial No.

Commissioners of Mysore and Bangalore Divisions and the Secretary to Govt PWD Regl, Cr (Irrn) Cr (Irrn), and the Financial Secretary to Govt, since there is not much time to lose lest there ensues a heavy loss of Revenue this year.

84) para 46 of the note may please be perused. Action taken in respect of the several points raised in notes in paras 81 and 82 above. Since this is an important and urgent matter, it may perhaps be discussed at a meeting as suggested in para 83 above. A draft is put up accordingly for approval

85)

86) Pl speak

87) Issue draft & pl sign

A draft for instructions of the D.S.C.I. is put up

Issued in No. PWD 14 GI G 60

Dated..... 31 - 8 - 60

88) Subd after issue. (Ref. Para 87 N)

Sri Selvaraj pl speak

SECRETARIAT TO GOVERNMENT No. Irr 9 I I 7 0 11 AUG 1960 PUBLIC WORKS & ELEC. DEPTT.

File No. PWD 14 G1G.60 195 .

Mysore Government Secretariat

Serial No.

89) A reminder to the Divisional Commissioner, Mysore Dn requesting him to expedite his report in Clause 88 (i) - (ii) be put up

90) Issued
W
7/9

91) Issued in No. PWD 14 G1G60
Dated 9-9-60

92) Copy of letter No 3K2/2227/Rev-Misc 0-61 Dated 17-9-60 of the Dl. Commissioner Gulbarga.

93) Subd for perusal.

dk
23/9.

~~Letter No. IRR 5804/60-61 Dated 19-9-60 of the Dl Commissioner, Mysore Dn, Mysore~~

94) Letter No IWC 3/1512/59-60 Dated 23-9-60 of the Director, Anti Corruption and Technical Audit, Bangalore

95) Subd. for perusal. References 1 & 2 invited to paras 8. 71, 72, 73 and 82 notes.)

dk
24/9/10.

96) To examine further & put up.

W
7/10

97) Letter no. IRR 5804/60-61 dated 19-9-60 from the Divisional Commissioner, Mysore Dn, Mysore on the subject.

98) Submitted for perusal the letter of the Divisional Commissioner, Mysore Dn. In this office letter dated 31.8.60, the Divisional Commissioners were requested to issue necessary instructions to all the D.C.s under

Serial No.

their jurisdiction to entrust the work of verification of booking of Contribution and water Rate in the Districts to the Revenue Auditors attached to the Divisional offices and that they may work under the guidance of the Special Assistant Commissioner attached to the Team.

99) The Divisional Commissioner has now forwarded a note showing the Several Registers and Records to be maintained in the Divisional offices and states that with the adoption of the Series of Water accounts it will not only facilitate Correct accounting but also put an end to many leakages of revenue. The Divisional Commissioner continues that this work cannot be undertaken by the Revenue Auditors in addition to their normal work, and he recommends for the employment of the Special Staff for each Taluk in the State.

100) He adds that the expenditure incurred by the employment of the Special Staff will be more than Compensated by increase in the demand and recovery of unbooked areas.

101) Another great handicap is stated to be want of books and registers and forms. He requests that a Sum of Rs 2000/- be Sanctioned to get them printed locally.

102) The Director, Anti Corruption and Technical Audit, has forwarded copies of G.O. no. G.93-120/KSS 5TD-597 dated 8.6.31 along with copies of letters received from the D.C., Mandya District regarding water rate in the V.C. area. A copy of G.O. no. Rest 934-41-1m

18

File No. PWD 14 GTG of 1960.

Mysore Governme
Secretariat

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D.56-1 dated 11.5.56 be also placed below. The file may in the first instance be referred to the Revenue Deptt for remarks w.r. to para 56, after which the question of sanctioning Staff as requested by the Divisional Commissioner, Mysore in side paras 8 to 101 will be taken up for consideration later.

For favour of remarks (Asime) 103

CO
14/CO
DS/PWD

Rd.

Submitted

15/10.

~~Action, if any, to be taken~~

The proposals of the Director, Efficiency Audit & Anti Corruption as discussed in paras 41 & 42 supra, will have to be considered according as the irrigation source under consideration is governed by the Irrigation Act or the water rate on the lands under this source is governed by the Land Revenue Code. According to Section 29(3) of the Irrigation Act, the water rate can be revised for the first time after the expiry of a period of ten years & thereafter at intervals of not less than fifteen years. 104

If the water rate according to Section 53 of the Land Revenue Code, is liable to be revised at such periods as Govt shall from time to time determine. 105

Hence, the present proposal of the Director may be agreed to and necessary action to fix the water rate be taken by him provided the source of irrigation in 106

PLEASE SEE

I 0
13 OCT 1960
14/1/60

Pr.D(14)61 60

Serial No.

DEPUTY SECRETARY TO GOVT
16312
18 OCT 1960
REVENUE DEPARTMENT

the present case is covered by the Irrigation Act & provided the conditions laid down for in Section 29(3) of this Act are fulfille for the revision of the water.

If the levy of water rate in the present case is governed Land Revenue Code, then action can be taken to revise the previous water rate under Section 53 of the L.R. Code.

15/1/60

D.S.

107

108 Pl. put up a copy of the Irrigation Act

22/1/60

24/1/60

DEPUTY SECRETARY TO GOVT
(L.S.)
21 OCT 1960
REVENUE DEPARTMENT

109 Submitted with a copy of the Irrigation Act.

24/1/60

D.S.

110. The Public Works Department have invited the remarks of the Revenue Department on paras 41 and The proposal is whether the water rate levied in the V.C. area for sugarcane cultivation could be revised so as to levy the rates laid down in G.O. PWA-934-41-IRM-10-56-1 dated 11th May, 1956 where it has been laid down that the water rate on suga cane cultivation may vary from Rs.15 to Rs.25 (vide page 3 of the above G.O.). It has been stated i para 41 above that the Tahsildars have felt that imposition of higher water rate contravenes the of the agreement executed by the ryots and, ther

	Serial No.
.t requires statutory authority. It is also seen from the copy of the letter dated 15th January, 1957 of the Deputy Commissioner, Mandya District, addressed to the Divisional Commissioner, Mysore Division, forwarded by the Director, Anti-Corruption and Technical Audit (PWD), Bangalore, that the Deputy Commissioner also has sought some clarification as regards the period when water rate could be revised and at what rate.	
As is evident from the copy of the Mutchalika placed in the file the water rate in the V.C. area has been levied in accordance with Government Order dated 23rd February, 1932 according to which the rate goes on increasing from Rs.4 during the first year to Rs.10 in the 4th, 5th and 6th years and thereafter, Government could increase the water rate by 25% during the next 10 years. Thereafter, Government could revise the water rate at intervals of not less than 10 years. However, according to sub-section (3) of Section 29 of the Mysore Irrigation Act, 1932, the water rate shall be ~~xxxxxx~~ liable to revision after the expiry of a period of ten years and thereafter at intervals of not less than fifteen years. Now, the point for consideration is whether the water rate in respect of the sugarcane area in the V.C. area could be revised in accordance with the G.O. of 1956 ~~irrespective of what has been laid down in the G.O.~~ of 1932 in accordance with which the ~~xxxxx~~ Mutchalika has been executed or in accordance with the Irrigation Act of 1932.	111.
If the Krishnarajasagar Area has been notified under Section 2 of the Irrigation Act, 1932	112.

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1672 PWD.

the provisions of sub-section (3) of Section 29 of the Act could very well be applied and the water rate revised accordingly. However, if the Irrigation Act applies it is necessary to amend the Section, as was suggested by the Committee constituted for examining the scales of water rate in respect of irrigation works in Mysore State. If the Krishnarajasagar has not been notified as an irrigation work under the provisions of Section 2 of the Irrigation Act, then the provisions of the G.O. of 1956 could be enforced as it will only have the effect of superseding the earlier order of 1952. and convey under the purview of Section 53 of the L.R. Code.

p.7 of the Report para 45(iii)

113. Law Department may kindly examine the position.

25/10/1960.

(B.S.HANUMAN)
DEPUTY SECRETARY,
REVENUE DEPARTMENT

Sec 3 25/10

Registrar-I
Law Department.

114

2nd Dept.:

P.W.D. is requested to state whether the Mysore Irrigation Act (Act No. 1 of 1932) was applied to the area in question by a notification issued under Sec. 2 of the said Act.

25/11/60

PWD

1088/Fors. 5

Gd 148

Note.-2 South. Sheet 1961

22 PWD 14 SIG 60

File No. of 196

Mysore Government Secretariat

Serial No.

5) Submitted for perusal. The E.E., Vishveshwaraya Canal Division will be requested to forward a report & draft proposal.

11b) Issue

11

11) Issued in No. PWD 14 SIG 60
Dated 31.1.61

118) Letter no. IRR. PR. 338/60-61 dated 12.10.60 from the Divisional Commissioner, Bangalore Dn

119) Letter no. IRR. PR. 338/60-61 dated 12.10.60 from the Divisional Commissioner, Bangalore Dn.

120) Letter no. IRR/CB/8035 dated 14.10.60 from the S.E., Belgaum circle.

121) Letter no. IWC. 3/1512/59 60 dated 21.10.60 from the Director, Anti Corruption and Technical Audit.

122) Letter no. IRR. 1530/60-61 dated 13.12.60 from the Divisional Commissioner, Bangalore Dn.

123) Letter no. IWC. 3/1512/59-60 dated 28/29.12.60 from the Director, Anti Corruption and Technical Audit.

124) Submitted for perusal u.r. to para 46 (i) of the rules. The Director, Efficiency Audit Anti Corruption and Technical Audit, has in his letter dated 21.10.60, has given the reasons for the suggestion made by him viz. the revenue officers attached to the divisions should be trained to look after proper booking of contributions and work rate effect taking instructions from the Special Assistant Commissioner attached to the Dean, and what exactly the work that has to be attended to by the revenue officers.

Serial No.

125) A reply will be furnished to the Divisional Commissioners as intimated by the Director, Anti corrup and Technical Audit. A draft put up in for consideral

126) Issued put up

127) Issued In No. PWD 14 GI G 60
Dated..... 8/2/61.

128) Issued and resubmitted U.R. to para 126 abo

129) Reference is invited to the letter of 28/25 Accts received from the Director Anticorruption & TA on page 38 of and the action taken there on as the letter issued on 8/2/61 may kindly be perused (page 41

130) Seen:

131) Letter no. A9. PR 343/60 61 dated 6.2.61 from the D.C., Kanara District.

132) Letter no. Po/WR/294 dated 14.2.61 from the E.E., Visveswaraya Canal Div on the Subject.

133) Submitted for perusal. A copy of letter dated 11.5.60 will be sent. A draft is forwarded.

Issue

PWD 14 G 9 G 60

24 File No. of 195 .

Mysore Government Secretariat

Serial No.

135) Letter no. PO/WOR T14 dated 24.3.61 from the E.E Visveswaraya Canal D.

136) Letter no. PO/WOR/139 dated 15.4.61 from the E.E. Visveswaraya Canal D.

137) Submitted for perusal the letter dated 15.4.61 of the E.E, Visveswaraya Canal Dn. vg.v.to paras 110 to 115 of the notes. Orders whether the CE(G) may also be addressed to forward the information required. A draft is put up.

Idlo 20/4/61

138) Issued

139) Despatched in No. P. W.) 14 G1 G 60 Dated 27.4.61

140) Letter no. 26/KRS/MK1/1766 dated 16.5.61 from the S.E., Mysore circle on the subject.

141) Submitted for perusal. Similar report called for from the CE(G) is awaited. Another reminder is put up.

IRR 31/5

Issued

Despatched in No. P. W.) 14 G1 G 60. Dated 6.6.61

Letter No GPH 93 MPS(6)/61-62 dated 19th July 1961 received from the C&G regarding levy of basic rate in Visveswaraya Canal Division.

Serial No.

area on Sugar-Cane

Submitted for perusal

142 A. Letter may be addressed to C.E (I.P.) for furnishing the particulars. A. draft is put up

6.7.61.

Issue
Sd/-
15/7/61

Issued in No. PWD 14 GI G 61
Dated... 18.7.61

Sd/16/

Letter No UCA/TE
dated 19-8-1961 from
Munirabad.

The P.W.D. is for

143 perusal.

Please see paras 11 D to 11 H of the notes. The L.D. wanted to know whether the Mysore Irrigation Act (Act No. 1 of 1932) was applied to the K.R. Sagar area by a notification issued under Sec. 2 of the said Act. The Ex. Engr. U.C. Divn, the S.E. Mysore Circle & the C.E. I.P., Munirabad have all

File No.

Mysore Government Secretariat

Serial No.

repeated to Govt. that they have no information on this point. Their repots may be seen at p. 48/c, 51/c & p56/c. The L.D. may now be requested to advise on the suggestion made in para 112 of the D.S. R.D's note, namely whether the provisions of the GO. No. PWR-934-Hel-IRM-10-56-I, dt: the 11-5-1956, could be enforced in respect of K.R. Sagar area . . .

2-9-1961

D.S.

P-W-J

L.A.

P. J. FERNANDES,
Secy., P.W. & Elecy.

LAW DEPARTMENT:

[Prima-facie, it appears that the water rate is to be levied according to Mutchalikas taken in this behalf. It appears that the said Mutchalikas were taken in pursuance of the Govt. Order in order to bind those who agreed to the levy of such rates. So, unless the Government has power to revise the rates as against the said agreement, the revision can only be in

RECEIVED 30.12.57 7 SEP 1961 PUBLIC WORKS & ELEC. DEPTT.

Law Department

Serial No.

pursuance of the agreement. The G.O. of 1956 car supersede the contracted rates. The power to rev the said rates can only be by a statute.

The Department is not in a positi to state whether the provisions of the Irrigatior Act of 1932 were made applicable ~~or not~~ to the ar in question. In the circumstances, it is for the Department to further examine the question.

(C.S.WODEYAR)
Deputy Secy. Law Department.

P W D)

Please see paras 41 and 42 on P. 6-7 ante and Dy. Secy., R.D's note dated 20.10.1960 on P.10-11 ante. The points for consideration are:-

(i) Whether the water rate in respect of sugarcane cultivation in the Visvesvarayya Can area could be revised so as to levy the rates laid down in G.O. No.PWA-934-41-Irm-10-56-1, date 11.5.1956,

Or

(ii) whether the water rate could be levied i accordance with the provisions of Sec.29(3) of th Mysore Irrigation Act, 1932.

The Law Department, to whom the file was referred to for advice, wanted to know whether th Mysore Irrigation Act, 1932, was applied to the Visvesvarayya Canal area by a notification issued under Sec.2 of the said Act. As this information was not available here, an enquiry was made on th

Serial No.

point with the Chief Engineer (Irrigation Projects), Executive Engineer, Visveswarayya Canal area and Superintending Engineer, Mysore. They reported to Government that they too have no information on this point.

10. The Law Department to whom the papers were again referred to has now given its opinion in which that Department has stated that the "revision of rates can only be in pursuance of the agreement; the G.O. of 1956 cannot supersede the contracted rate and that the power to revise the said rates can only be by a statute."

11) It may be pointed out that by Government Notification No.A-428-L.R-131-32-5, dated 25.7.1933, the provisions of the Irrigation Act have been applied to the area in question. (This notification was recently found in the Records Section). In view of this notification, it appears that as observed by the Dy. Secy., R.D. on P. 20-21 ante, the water rate can be revised under the provisions of Sec. 29(3) of the Irrigation Act. In that case the question of enforcing the provisions of G.O. of 1956 will not arise. If this view is correct, the Director, Anti-Corruption and Efficiency Audit, Divisional Commissioner, Mysore Deputy Commissioner, Mandya and other officers will be informed accordingly.

12. The Revenue Department and Law Department may

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may see U.O. for favour of advice. There is one more point for consideration, namely, whether the Chief Engineer (Irrigation Projects), Superintending Engineer, Mysore Circle and Executive Engineer Visvesvarayya Canal Division had taken the notification dated 25.7.1933 into consideration before sending their replies as at " " of para 18 above.

It is for orders whether they may be addressed on this point before referring the file to the Revenue Department and Law Department.

14 / 14-12-61

22 Address them immediately and request them to send their replies within a week positively. D.S. 19.12.61

23 Draft put up may issue 20.12.1961 D.S. 20-12-61

Issue 20/12/61

(25) Issued in No. PWD 14 GIG 60 Dated 23.12.61

Sir A Sec file 23.12.61

2/1/62

Letter No 11306 dated 12-1-1962 from the E E Mysore Division. Mysore P.W.D. is for personal particulars called for from C.E. (I.P.) and S.E. Mysore. are awaited. A reminder may issue expeditiously

28/12/61

26

30 PWD 14 GOG 60

File No. — of 196 .

Mysore Government Secretariat

	Serial No.
the same A. Draft put up may approve 23.1.1962 24/1-62 sp Issue 24.1.62	27
Issued in No. PWD 14 G1 G60 dated 29.1.62	28
Letter No 26/KRS1 MMG/3796 dated 14-2-1962 from the SE Mysore circle Mysore. 1) P.W.D cs for perusal. Further report may be awaited from the Chief Engineer (General) 22.2.1962 24/2-62 sp 2) KB 23.2.62	29
Letter no UCA/TBC/TA2 dated 17-2-1962 from the Chief Engineer (PP) Bangalore. 1) P.W.D cs for perusal and orders 27.2.1962 Issue (PP 68(c) 24/2-62 sp	30

D 016154-GPB-PZS-8.00

Issued in No. PWD 14 G1 G60 31

Dated 1.3.62

PWD 14 GG 60

P.69/c

letter no 46/KRS/HHG/61-62 14/18 da
21-3-1962 from the S.E. Hyderabad circle
32 10's) P.W.D. for permission. Further
from the Superintending Engineer Hyderabad
Circle Hyderabad may be awaited.
26.3.1962

11-4) The reminder at P.70/c
may issue

10c
Le-4-62 Issue

(33) DS

K
6-4-62

15 6)

A (34) Issued to No. PWD 14 G1 G 60
11/4/62 Dated..... 10.4.62

P.71/c

25/4/62 Roletter no 4WC 3/1512/G9/57
11/4/62 dated 6th April 1962 from the
Special Additional Commissioner Direc
Anti-corruption and Technical Bran
Hyd

2.4 P.W.D. is for permission a

orders
16-4-1962

P.72/c

35 (35) draft for up may issue
20.4.1962

21-4-62 (36) Issue draft of
P.W.D. S.E.

32

Issued in No PWD 14 G 1 G 60
Dated..... 10.5.62

169) Letter issued and put up.
14.5.1962 With reference to para 36 of

17.5.1962 39) Remind SE Tc & EE Kks by
17) D.O. letter to expedite the reports.

25/6/62

Shri SR
26/6/62

171

D.O. Letter No 320/VCA/MM1/ dated 15th May 1962 from the Technical Assistant to the SE Mysore circle.

171) P.no is for perusal.
Further report from the SE may be awaited and expedited. A D.O. reminder is at Page Up for approval with reference 39 nf.

28.6.62
29-6-62 172) Issue
3/7/62
12.7.62 173)
Issued in No PWD 1459 G 60
Dated..... 11-7-62
16/7/62
17/7/62

File

Letter No 3357-58. dated 2-8-62

from the E E K Rs

174) P. W D is for perusal.
Further reports from the S E
Mysore Circle may please be
awaited.

175) The S.E. Mysore Circle
has not sent his remarks.
He may be reminded as
for draft put up & the
file referred to L.D. on
receipt of S E's remarks

176) Issue

177)

Issued In No. PWD 14 S D 60
Dated... 9-11-8-62

~~46~~ 179) The file no PWD 105 GG 61 is below. The file no PWD 15 GG 61 here is linked PWD 110 GG 60. which is under the submission to ~~D.S.~~ Deputy Secretary from PWD Dte from 24-8-1962.

20.8.62

Pl. see

14/2/81

CW

~~(47)~~ The d.o. reminder at P83/c may issue. After issue, it may be requested to de

Serial No.

letter No MMG-320-UCA-62-63 dated 17-9-1962 from the SE Hyderabad circle.

(48) /X-2) The reply from the S.E. Hyderabad circle have since been received hence no reminder may not be issued. This file may now be transferred to Major Irrigation Section with reference to para 4 of S.10.62 (183) This is about levy of water rate on sugarcane in U.C. area

(49)

6-10-62

(50/XV) Ref paragraph 49 ante, the sugarcane Development fund is being operated by the PWD Commercial section. Hence this question may also pertain to them. This may therefore be referred to that section.

5/11/62

PTO

Supdt. G.II
pl. discuss
11/10

BVD
11/11/62

MYSORE GOVT. SECRETARIAT
No. 8672
PUBLIC WORKS (MAJOR IRRIGATION)

File No. ~~PWD 164 GIC of 1960~~ Mys

Serial No.

CW

! ~~(6)~~ The note in para 49 is not relevant: pl. study carefully and put-up a note clearly indicating the points for orders.

Sd/-
6/11/62

187)

The letter of the ~~Chief~~ Superintending Engineer mysore Circle, mysore dt 10-9-62 (on page 84 C.F.) is for perusal w.r.t. the notes in paragraphs ~~156~~ 157 & ~~157~~ 158 ante & ~~ybL~~. dt 23-12-1961 on page 59 C.F. The S.E. mc. mysore has now reported that "the Irrigation Act of 1932 has been made applicable to all Irrigation works including K.R. Sagar works

Serial No.

53) 188) In the above circumstances, the file may be referred to Rev. Dept & Law Dept. for advice.

1st/11/62 189) Paras 41-42, 104-114, 143-153, 175 and 183 of notes and the report at p. 84 Ct: may please be seen. The point at issue is the revision of water rates, particularly in respect of Sugar cane, under the Visvesvaraiya canal area.

190) Now, L.D. with reference to their note in paras 146-147 may kindly see the notes in paras 148—153 and pages 56, 59-61, 67, 80 and 82 Ct and advise us as to the lines on which we should proceed with enhancing the water rates under the V.C. area. In this connection they would also perhaps keep in view the Mysore Irrigation (Levy of Betterment-contribution & Water Rate) Act-195) which is now

File No. PWD-86-MKS 62 of 196. Mysore Government Secretariat

Serial No.

force.

190) Seeks for order

162

(191) For the necessary

LD)

Sd
4/12

1888

Law 3 nm

6 - DEC 1962
Registrar-I
Law Department.

Law Deptt.:

2) The G.O. dated 11-5-1956 is not in the file. A copy of the same may kindly be made available for reference

OLD)

Sd illegible
11/12/62

SECRETARY TO GOVERNMENT
No. DD 9 138
11 FEB
WORKS & ELEC.

Sd
12/1/63

3) Ref. paragraph 192, the said G.O. No PWA-934-41-IRMC-10-56-1 dt 11-5-1956 was already placed in the file (pl. see N.P. paras 102 & 110 ante). However another copy of it is now placed in the file as at page 86 C/f (flag W). The file may now be referred to Law Deptt.

Sd
20/1/63

MYSORE GOVT. SECRETARIAT
286
21 FEB

WD-010154-GPB-PZS-8,00,000-1-10-61

Sd
23/2

Serial No. 194

The file may be referred to the Administrative Department for taking action in accordance with the procedure laid down in the proceedings of the Secretaries' Meeting held on 21-4-1966. The Administrative Department may refer this file to the Law Department after being processed in accordance with the new procedure.

14/5/66

13.5.66

Y. M. C. SHARMA,
Asst. Draftsman and Ex-Officio
Under Secy., Law Department.

P.W.D.)

195 The Law Dept have returned this file after three years without expressing any opinion. However much water has flown underneath the bridge since. The Mysore Irrigation & Levy of Betterment-contribution Act 1964 have come into force. which provides for uniform rate of Betterment-levy etc. In the circumstances no further action is necessary on this file. However the Special Irrigation Section may kindly see for remarks if any

Sd/ Sri Selim) 31.5.66.

GOVERNMENT SECRETARIAT
No. 1614
13 MAY 1966
G.J.

16.5.66

196 & The main point at issue in this file is about the provision of water rates in respect of Sugar cane from under the Visveswaraya Canal as per 1971 In this connection it may be noted that Uniform Rules relating to Betterment-Levy

Note.—Contn. Sheet

File No. of 196 .

Mysore Government Secretariat

Serial No.

and works have been finalised & also implemented. In view of the above fact no action appears necessary on this file at this distance of time.

The Secretary Irrigation Section may kindly close this file after obtaining orders of D/S (9).

97

J1/5 Sd/- Section) J1/5

MYSORE GOVT. SECRETARIAT No 211/ID/SP/66 - 1 JUN 1968 PWD (SPECIAL IRRIGATION)

198

Jes perusal D orders from Paras 194 & 195. Alternate file.

U.S.

1.6.66

199

The question involved is as to whether from 1956, the water rate for Sugarcane could be increased from Rs 10/- per acre to Rs 15-25/per acre. The LD. wanted to know whether the Mysore Irrigation Act was declared applicable to KRS. area. This is seem to have been done by Govt. notification dated 25.7.33. We may have to inform all these points in a brief note to LD and obtain its opinion, so that we may enhance the water rate for sugarcane in KRS area from 1956 to date.

200

A detailed note mentioning all the issues may be put up for reference to LD.

Gen Instg)

4/6

2 3.6.66

Note Continuation Sheet

Subject.....

P2 D86 MRJ 62

File No.....

References and markings	Notes and Orders	Para Numbers
'S'	A resume of the case is submitted herewith. It may be sent to Law Dept for opinion with a U.O note in triplicate after the C/S approves of it. U.S. 2/7 ICD 3.7.66	201
Pl discuss with 1932. act 3/7/66	Kindly see paras 194 ante. As laid down in the GO & OM of 17-5-66, a detailed note on the subject of enhancing the water rate under Rs. area from 1956 is placed on p.87 of cy for perusal and approval. After approval this note will be transmitted to LD. for opinion. DS) 6/7 9/7 Discussed. U.S.	202
Subsidiary Register.	It is seen from the file that the Irrigation act 1932 (20 has been made applicable to K.R.S. area by a notification dated 25-7-1933 (vide page 60 of C/F) and even as per Dr. Nanjegowda Committee report the water rate as approved by Govt in GO dated 11-5-1956 enhanced water rate had to be levied from the date of that GO. up to the date of the present water rate, came in to force i.e up 1-7-65. D.C. Mandya may be addressed to indicate what water rate, have been levied under KRS from time to time till 1/7/65. 28/9/66. 28/9	

Note Continuation Sheet

PWD 86 MKS 66

Subject ... Levy of Water Rate in V.C area on sugarcane

File No.....

WD 914899—GPB—8,00,000—17-6-61

Reference and markings	Notes and Orders.	Para Numbers

204) Draft letter to D-C Mandya to put up for appl (Vide para 203/ns

Pa 4.5. 5/11 5.XI 66.

205) Done

9/11

Approved 9/11/66

Serial No 92 (Receipt)

206) The letter of the D.C. Mandya dated 14/9/67 at page 92/cz is for kind perusal with reference to para 203/ns. It is reported that the water rates as approved in Govt. order dated 11-5-66 could not be levied due to the reason that specific rate was not proposed between Rs.15/- to Rs.25/- and that in the meanwhile the question of revision of water rates by issue of the Mysore Irrigation (Levy of Betterment contribution) Water Rates) Act 1957 was taken up by Govt. It is further reported that the following rates of water rate were being levied prior to 1-7-1965 including on the fallow lands :-

Rs. 10/- per acre for A ayacut
Rs. 2/- per acre for B ayacut (Old lowlands)
Rs. 8/- —do— 2 —do— (Extended channels)

(207) The above rates are exclusive of Land Revenue, Well assessment and cesses. In addition to this, additional Water rate of Rs.2-50 per acre

PWD 86 Mks 62

Subject: Levy of water rate in V.C. area on sugarcane File No.

WD 01050—GPB—8,00,000 13-12-65

for sugarcane crop is being levied and collected with effect from the year 1956-57.

(208) For orders

(209) This may be referred to Law Dept. for opinion with regard to points mentioned in paras 189 & 190 of N/P

30/8

(210) Some time in 1959-60, the Director of Efficienty Audit and his Team made an inspection of the booking of contribution and water rates in Mandya District under the Visveswaraiah Canal and reported among other things that under the V.C. Canal, Water Rate of Rs.10/- per acre only ~~is~~ being levied for the sugarcane crops even ~~though~~ according to the Govt.Order No.PWA 934-41 IRN.10-56-1 dated 11-5-1956, the water rate, in respect of works ~~Canal~~ Costing Rs.5 lakhs and above, for Sugarcane should be of the order of Rs.15 to 25/- per acre. It was pointed out in this report that the Tahasildars concerned have expressed their inability to levy any enhanced rate in as much as in the original Mutchlikas executed by the cultivators at the time of commissioning of the Project only Rs.10/- had been specified and any enhancement would be in-contravention of the Mutchlikas. Kindly see ~~at~~ Pages 2(b) and 2(d) c.f. This aspect of the case was referred to the Revenue and Law Dept. for ~~its~~ opinion. Kindly see Paras 110 to 114 ante. It was agreed by the Revenue Dept. that the water rate under K.R. Sagar area could be enhanced either according to the Sub-Section 3 of Section 29 of the Irrigation Act, 1932 or by virtue of the orders passed by Govt. in Govt. Order No. PWA 934-41 IRN.10-56-1 dated 11-5-1956. The Law Department again in its opinion at Paras 146 to 147 ante opined that

p.t.o.

WD 01050--GPB--8,00,000 13-

after 1942, i.e., 10 years after the enforcement of the Irrigation Act. But for the same reason or the other, water rates have been collected ~~only and~~ at the old rates o Rs.10/- per acre and as stated by the Deputy Commissioner in his letter dated 14-8-1967 at Page 92/c.f. an additio amount of Rs.2-50 per acfe for sugarcane crops is being l and collected with effect from 1956-57. In the report the Director of Efficiency Audut, the collection of enha rates for sugarcane crops was suggested from 1956-57 and from the report of the Deputy Commissioner, it is seen that an additional amount of Rs.2.50 has already been col ed from 1956-57. According to the Mutchalika executed b the Ayacutdars the enhancement after each 10 years could 25 per cent of the original water rate. Presuming that the water rate for sugarcane up to 1958 was only Rs.10/- for a further period of 10 years was also Rs.10/- i.e., t 1948. From 1948 to 1958 the rate could be enhanced by 25 per cent and water rate could be levied at 12-50. It seen that from 1956-57 itself water rate is being levied the rate of Rs 12-50. Nextly, according to the Irrigation of 1932, the water rate could have been enhanced and furt ~~as recommended~~ xxxxx based on the Govt. Order dated 11t May 1956, the water rate for sugarcane could have been fixed at Rs.15 to 25/- and specific directions could have been issued for the same. But this does not appear to h been done. Meanwhile, it has to be pointed out that the ~~Mysore~~ Irrigation Act, 1965 is now xxxxin force. The Mysore Irrig Act, 1932 is repealed. The Mysore Irrigation (Levy of Betterment and Contribution & Water Rate) Act, 1957, is also in force. Certain water rates have been specified under This Act for being levied for sugarcane and these water rates are in force from 1965. I am not sure if it will be possible levy any enhanced water rates according to the 1932 Act o

ccording to the Govt. order of 1956 at this stage with
ny retrospective effect. Any such enhancement of water
ate may meet with stiff opposition. Under the circumstances,
feel that this old case may be closed at this stage and
e may insist on the collection of the water rates as per
ne latest orders from ~~1964~~. 1-7-1965.

DS)
Jt Secy P.WD
Secy P.WD
F D.

2/9/67
M. CHANNAPPA
Dy. Secy. to Govt. P.W.D. (Irrgn.)

4/9/67
Jt. Secy. to Govt. P.W.D.

4/8

Jt. Secy. PWD.
No 6327 Date 6

Secy. PWD. 4/9
No 4138 Date
212

I would like to refer
the reference in regard
to A & B of preceding
note.

The main difficulty
in revising the rates
on the basis of May 1956
order appears to be
the vagueness of the
order, as no definite
rate prescribed for
any of the crops, nor
any method was
indicated as to how
the rates should be
fixed between lower
& the higher ranges

Subject: **File No.**

WD 01050—GPB—8,00,000 13-12-65

vindicated in the order r.

(A.2.L.V) 8/9/67

214) The reference Docs. may be seen @ p. 92 q. (PWD)

Ds(I) / Secy PWD

11/9/67

M. CHENNAPPA,
... Dy. Secy. P.W.D. (Irrgn.)

Secy. PWD. 12/9. Date
No

215 Since increased prescribed in G.O No. PWA 934-KII-(RR-(2 5'6-1 Dt 11.5.56 were not specific the Revenue offic have found it difficult to enforce them.

Since new rates have come into force, we may not pursue the question of enforcement of G.O mentioned above R.D./F.D. may Acc.

CH
14/9

CHANDRAPPA PATEL
Secy. P. W. & L.Secy. Dept.

R.D.
F.D.

BANGALORE GOVT. SECRETA... Date 15 SEP 1... ISSUED

bject: Levy of water rate in V.C. area on Sugarcane — File No. PWD 86 MKS 62 — M. G. S.

RDE 4541/67. RDE 4761/67

217

PWD is requested to make available a copy of go. referred to at para 215 Supra.

4/X/67.

V. NANJAIAH
Under Secy., Rev., Dept.

PWD.)

5/67.
12/4.10.67.

MYSORE No 2602 6 OCT 1967 P.W.D. (RECEIPT)

6/10

Sent G.S. 46 6.X.67

A copy of the G.O. No. PWA 934-41-IRN. 10-56-1 dated 11th May 1956 is placed at flag 'E'. With this information, this may be referred to Rev. Deptt.

Sd/- K. [illegible]
7-X-67
Section Officer
for Secy. to M.G.S.

Gn 7/10/67

R.D.)

MYSORE GOVT. SECRETARIAT REVENUE DEPT. RECEIPT 6 OCT 1967

paras 215 & 216 Supra and the G.O. at flag 'E' may be perused.

17/10/67 Seen & returned.

18/X/67

PWD)

— 217 —

F.D. — Kindly see paras 210-216

MYSORE No. 4713. 21 OCT 1967

23 OCT 1967 LEGT. (PENSION)

31/X

S. K. MOHAN,
Under Secy., P.W.D. (Tech.)

[As pointed out by LD, the G.O 1956 cannot supersede the contracted the power to revise rates can only by statute. As pointed out by PWD ~~Ref~~ para 211 ante, the water rates sugar cane could have been increased after 1938 but the additional amount of Rs. 2-50 was collected only from 1 In view of this, it would not be feasible to collect water rate at enhanced rates with retrospective effect. However it may please be confirmed that the revised water rates are being collected from 1-7 PWD may also ascertain whether a similar problem has arisen in the case of other irrigation projects works have executed muchalikas pass on the file to the Mysore Tax and Resources Enquiry Committee their examination].

G. Muthandas Rao
DS. PWD
(Sri Nagendramurthy)

DS, FD 23/5

29/6 29/6

Please see note-216. [illegible] The enquiries in regard to the levy of reward & other relief from 1-7-65 may be obtained from the Secretariat concern. Draft letter is put up for approval

Sd/-
15/6

Sd/-
16/6/70

Issued on 17/6/70

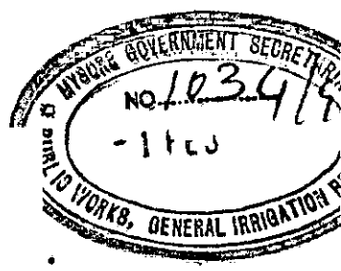
Send dft. 65 (Receipt) - letter No. IRR-II-33-2 (215)/70-71 from to the Secretariat concern, Bangalore

The letter of the Secretariat concern, Bangalore may be issued after is only an interim reply and further report from the Secretariat concern, if any may be awaited

Sd/-
29/7

R. J. REBELLO, I.A.S.,
Director,
Efficiency Audit and Anti-Corruption,

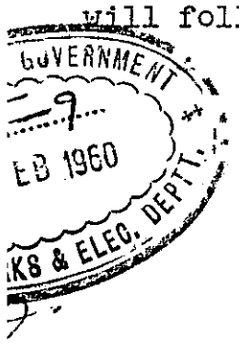
Bangalore,
"Vidhana Soudha",
Dated 29th January 1960



D.O.No. PWC 3/1512/59-60
End. One Report
2 Statements.

Dear Srinivasachar,

I am herewith enclosing the report submitted by the Special Assistant Commissioner of the team for verification and booking of contribution and water rate demand pertaining to Nagamangala and Krishnarajapet Taluks of Mandya District for the information of Government. The Statements giving details of the demand pertaining to the above taluks is also enclosed. The report pertaining to the other Taluks will follow in due course.



Yours sincerely,

(R. J. Rebello)

Sri D.K.Srinivasachar, I.A.S.,
Secretary to Government of Mysore,
Public Works & Electricity Department,
"Vidhana Soudha", Bangalore.

VERIFICATION AND BOOKING OF WATER RATE AND CONTRIBUTION DEMAND
DECEMBER 1959

The team continued the work in Mandya and Shimoga Distric giving greater attention to Mandya District. The collection of continues to be difficult and whatever data has been obtained ha be feressed out. It was noticed that the state of maintenance c records in all most all the P.W.D.offices visited left much to be de In fact in Sagar Division it was found that all the records rece from the community project at Shikaripur had been dumped in a cc in the shape of a mound with an inch or two of dust on it. No e has been made so far to sbrt them out and keep them properly fil The records kept by the Assistant Engineer, K.R.Pet provided anc such instance. Not much information could therefore, beg got frc office.

However every effort is being made to collect as much dat as possible from all the sources. Wherever data could not be fc in the Division Offices, efforts were made to get the same from Public Works Sub-Division Offices and whenever such data was obt the team could do nothing but to adopt them in view of the abser such data in the Divisional Offices.

During December 1959 the work done is as below:-

K O L A R

The Deputy Commissioner Kolar District has written that instructions have been issued to all the Tahsildars to book the as indicated in the statements sent by this office. Nothing ha been heard from the Executive Engineers, Kolar and Chikkaballapi as to what action they have taken on the report of the team. Moreover, instructions, on the report of the team sent during November 1959 has been received from Government, who have been pleased to direct that the work may be persued in the other Dis of the State on the same lines as in Kolar District.

MANDYA.

Executive Engineer Mysore Division has sent further data
ding to Srirangapatna Taluk. More data has been compiled from the
ecutive Engineers of Mandya and V.C.Divisions. All the data that coul
got in respect of Nagamangala and Krishnarajapet Taluks has been
tained and the work in those two Taluks has been completed during
cember 1959. The statements showing the result of verification is
closed herewith. It can be seen therefrom that the amount of contribu
on now to be taken on demand is Rs.6,91,547.30 for Nagamangala Taluk an
2,48,044.87 for Krishnarajapet Taluk. The additional demand of Water
te for Nagamangala Taluk is Rs.79,570.10 up to end of 1959.60 and Water
te for Krishnarajapet Taluk is Rs.1,328.00 in respect of a few works
d that in respect of others has to be booked after the Executive Engin
timates the date of giving water etc, after verification. The data i
spect of some more works as indicated in the Statements have to be
rnished by the Executive Engineer Mandya Division and any additional
mand that may have to be booked will be intimated in due course.

The basis for calculation is the same as was indicated for Kolar
strict. The data pertaining to the other taluks is still under compila
on and verification and a further report will be sent in due course.
e Statements pertaining to Nagamangal and K.R.Pet Taluks are also bei n
nt to the Deputy Commissioner Mandya and the Executive Engineer Mandya
d the Tahsildars concerned for needful.

It may be pointed out here that it was found in respect of the
ave two taluks, that except for a few cases, no intimation of the dema
s been sent by the Executive Engineers to the Revenue Authorities and
wn in those few cases no action has been taken by the Revenue Authorit
book the demand, so much so, all most the entire amount recoverable
om the ryots has to be booked now.

As far as water rate is concerned data regarding date of giving
ter was available in most cases but this information was not furnished
or K.R.Pet. The Executive Engineer, Mandya Division is being requested
verify and intimate the date of giving water in case of fresh works
the date of completion in respect of restoration work to facilitate

In conclusion it has to be pointed out that the maintenance of records requires much to be desired both at the level of the Divisions and sub-divisions. It was only at Nagamangala that some order could be seen in their maintenance.

The statements pertaining to Nagamangala and Krishnarajapet are enclosed.

29/1

Special Asst. Com

Efficiency D

(2)

GOVERNMENT OF MYSORE.

R.J.REBELLO, I.A.S.,
DIRECTOR,
EFFICIENCY AUDIT AND ANTI-CORRUPTION.

BANGALORE,
DATED:- 9TH APRIL 1960.

D.O.No.IWC.3/1512/59-60

Enclosures. 1 Report with R.B.C. Matchotika.
2 Books with Annexure

Dear Srinivasachar,

Subject:-Booking of Water Rate and Contribution demands.

SECRETARIAT TO GOVERNMENT
No. T-41
11 APR 1960
PUBLIC WORKS & ELEC. DEPTT.

Please find enclosed the report along with statements of the team for Water Rate and Contribution demands, in respect of Srirangapatna and Pandavapura Taluks. I find that a demand of Rs 1,32,622-73 towards contribution and Rs 21,279-0 towards Water Rate for Srirangapatna and Rs 1,35,[illegible] towards contribution and Rs 40,929-69 towards Water Rate for Pandavapura has now to be booked.

Orders of Government, may be obtained on the various points raised in the report.

MYSORE GOVERNMENT SECRETARIAT
No 3998
PUBLIC WORKS, GENERAL IRRIGATION BRANCH

Yours sincerely,

Shri. D.K. Srinivasachar, I.A.S.,
Secretary to Government,
Public Works Department.

RECTORATE OF EFFICIENCY AUDIT AND ANTI-CORRUPTION, BANGALORE.

The work done by the team since the last report is as below:-

KOLAR:- The booking of demand as per the statements furnished by the team was verified in Chikkaballapur Taluk. No mistakes had been committed and they were rectified and the ledgers were got written up after making sample entries therei to guide the officials of the Taluk Office. To avoid any such mistakes being committed in the other Taluks it has been sugge to Government that the Revenue Auditors attached to the Divisi may be asked to look after proper booking after taking instruc from the Special Assistant Commissioner, Water Rates and Contr bution demand. Orders of Government are awaited.

It may be reiterated here that the demand indicated in the various statements pertaining to Kolar District pertain mo to contribution demand. The Executive Engineers of Kolar and Chickkaballapur were requested to furnish data pertaining to Water Rates which they have not done so far. However, after keeping quiet for nearly three months they have stated that th are busy with the March accounts and attending to the compleoti of works, and have promised to send the information by the end of April 1960. They will be reminded again. A supplemental statement will be sent after receipt of the above information.

MANDYA:- The work during the period under report was done mainly in Mandya District. After further verification th statements of Srirangapatna and Pandavapura have been compiled It can be seen therefrom that further data is necessary in man cases and the Public Works Department authorities concerned ha been requested to send the same so that at least a supplementa statement can be sent. The basis for calculation is the same as indicated in the previous reports. The statements are bein sent to the Tahsildars concerned as well as to the Deputy Commissioner, Mandya and Executive Engineers, Mandya and V.C. Divisions. It is indicated to the Tahsildars and the Deputy Commissioner, Mandya that as regards recovery of contribution

district and the instalments may commence from 1-4-1960 in case of Nagamangala and K.R.Pet Taluks the statements for which were sent during January 1960, and from 1-6-1960 for Srirangapatna and Pandavapura Taluks and interest taken on demand only on instalments which become overdue thereafter. The Executive Engineers will be asked to furnish the further data required and send in Pass Books or Atchkat Statements to the Revenue Department for further action.

So far as the V.C.area is concerned there is an additional demand indicated. G.O.No. PWA 934-41 Irn.10-56-1 dt. 11-5-1956 lays down that in respect of works costing Rs.5 lakhs and above a Water Rate of Rs.15 to 25 per acre has to be charged for Sugarcane Crop. Though the Tahsildars were asked by the Deputy Commissioner, Mandya to book the difference (as at present the Water Rate is Rs.10/- per acre for all crops) from 1956-57, none of them have booked the demand but some of them have addressed the Deputy Commissioner, Mandya for clarification. They have argued that the imposition of a higher rate requires statutory authority and may contravene the terms of agreement as in the Mutchalikas ~~now being~~ executed and they are awaiting the orders of the Deputy Commissioner. Copies of the mutchalikas are also enclosed.

It can be seen that the Irrigation Act empowers the Government to revise the Water Rate after 10 years from the first publication of the scheme (vide Section 29(3)). The Water Rate for Krishnarajasagar is being recovered from 1937. As regards the mutchalikas executed, there also the power to revise has been indicated vide para 3 of the mutchalikas which empowers Government to revise for the first time after six years and thereafter every 10 years subject to the condition that the first revision shall not be in excess of 25% over the existing rates. Even article 53 of Land Revenue Code authorise revision of Water Rate by Government. Hence there appears to have been no impediment in the way of booking the revised Water Rate demand, limiting it to 25% above the existing rate. Hence

Hence the extent of Sugarcane Crop under the V.C. has been collected Village-war and the difference of Water Rate from 1956-57 has been booked as per the annexure to the Statement pertaining to the Taluks. This may also be approved.

Thus the contribution demand for Srirangapatna is Rs.1,32,622-73 and Water Rate Demand is Rs.18,977-40 and includir the difference of Water Rate on Sugarcane Crop Rs.2301-63, it is Rs.21,279-03. The Total demand for Srirangapatna Taluk is, therefore, Rs. ~~1,56,202-38.~~ 1,53,901-76 The Contribution Demand for Pandavap is Rs.1,35,390-50. The Water Rate Demand is Rs.27,443-85 and including the difference of Water Rate on Sugarcane Crop, Rs.13,585-84 it is Rs.40,929-69. The total demand is, therefore Rs.1,76,420-19. It may be pointed out here that this figure will increase when further data is supplied by the Executive Engineers and Supplemental Statements will be sent.

As per the Statements sent by the Tahsildars none of the items booked have been brought on demand and hence the enti demands have now been required to be booked. But it is quite possible that in some cases the Water Rate, at least, is being collected on T.T. and collected as T.T.demand. The Tahsildars are also being requested to check this point carefully under intimation to this office.

The data pertaining to the other Taluks of Mandya District are being verified and a report will be sent in due course.

SHIMOGA:- The Executive Engineer, Shimoga has sent th further data required.. The data collected so far for this district will be verified and report submitted after the work in Mandya District is over. The Superintending Engineer, Shimo has been again reminded to send the Government Orders pertainin to the works in Shimoga District.

ನಂಬರು ಸರ್ಕಾರೀ ಹುಕುಮಿಗನುಸಾರವಾಗಿ ತಿದ್ದುಪಾಟಾದುದು.

ಆರ್ವಿಕ್ ನಾಲಾ ಬಯಲಿನಲ್ಲಿ ನೀರಾವರಿಗೆ ಬರತಕ್ಕ ಖುಷ್ಕಿ ಜಮೀನುಗಳ ಬಾಬತು ಮುಚ್ಚಳಿಕೆ.

ಇದರೊಡನೆ ಲಗತ್ತಿಸಿರುವ ಷೆಡ್ಯೂಲಿನಲ್ಲಿ ನಮೂದಿಸಲ್ಪಟ್ಟಿರುವ ನನ್ನ ಜಮೀನುಗಳಿಗೆ ನೀರನ್ನು ಹಾ
ವುದಕ್ಕಾಗಿ ಸರ್ಕಾರದ ಪಬ್ಲಿಕ್ ವರ್ಕ್ಸ್ ಇಲಾಖೆಯವರು ಆರ್ವಿಕ್ ನಾಲೆಯಿಂದ ನೀರನ್ನು ಸರಬರಾಯಿ ಮ
ಡಕ್ಕೆ ಪ್ರತಿಯಾಗಿ ....ಡಿಸ್ಟ್ರಿಕ್ಟು.....
ತಾಲ್ಲೂಕು... .....ಹೋಬಳಿ .....ಗ್ರಾ
ವಾಸಿಸುತ್ತಿರುವ ಮತ್ತು ಸದರಿ ಜಮೀನುಗಳ ಹಿಡುವಳಿದಾರನಾದ.....
ಮಗ.... .... ಎಂಬ ನಾನು, ನನ್ನ ಪರವಾಗಿಯೂ ಮತ್ತು ನನ್ನ ಆ
ದಾರರು, ಉತ್ತರಾಧಿಕಾರಿಗಳು ಮತ್ತು ಹವಾಲ್ತಿದಾರರು ಇವರುಗಳ ಪರವಾಗಿಯೂ, ಸರ್ಕಾರಕ್ಕೆ ಜ
ಕಂದಾಯವನ್ನು ಮತ್ತು ಎಕರೆವಾರು ಕಂಟ್ರಿಬ್ಯೂಷ್ಟ್ ಮೊಬಲಗನ್ನು ಪಾವತಿ ಮಾಡುವ ವಿಷಯದಲ್ಲಿ ವಾಡಿಕೆ
ಪರ್ಮಿಟ್ಟಿರತಕ್ಕ ನಿಬಂಧನೆಗಳ ಮೇರೆಗೆ, ಈ ಕೆಳಗೆ ತೋರಿಸಿರತಕ್ಕ ಒಟ್ಟು ಮೊತ್ತದ " ಲಂಪ್‌ಸಮ್
ಬ್ಯೂಷ್ಟ್ " ಮೊಬಲಗನ್ನೂ ಮತ್ತು ವಾರ್ಷಿಕ ನೀರು ಸರದಿ ತೆರಿಗೆಯ ಮೊಬಲಗನ್ನೂ ಕೊಡಲು ಬದ್ಧನ
ತ್ತೇನೆ ಮತ್ತು ಕೊಡಲು ಒಪ್ಪಿಕೊಂಡಿರುತ್ತೇನೆ.

1. ಒಟ್ಟು ಮೊತ್ತದ " ಲಂಪ್‌ಸಮ್ ಕಂಟ್ರಿಬ್ಯೂಷ್ಟ್ " ಮೊಬಲಗು ಆರ್ವಿಕ್ ನಾಲೆಯಿಂದ ಅದರ ನಾಲೆಗಳಿಂದ ಮತ್ತು ಅದರ ಸೀಳು ನಾಲೆಗಳಿಂದ ನೀರಾವರಿಯಾಗತಕ್ಕ ಖುಷ್ಕಿ ಜಮೀನಿನ ಎಕರೆಯೆ
.....ರೂಪಾಯಿಗಳಂತೆ ಇರತಕ್ಕುದು.

2. ನೀರಾವರಿಗಾಗಿ ಯಾವ ವರ್ಷದಲ್ಲಿ ನೀರು ಒದಗಿಸಲ್ಪಡುವುದೋ ಆ ಸರ್ಕಾರಿ ಸಾಲಿನ ಒಳಗಾಗಿ ಕಂಟ್ರಿಬ್ಯೂಷ್ಟ್ ಮೊಬಲಗು ಒಂದೇ ಮೊತ್ತದಲ್ಲಿ ಕೊಡಲ್ಪಡತಕ್ಕುದಾಗಿದೆ. ಅಥವಾ ನಾನು ಪಟ್ಟಲ್ಲಿ, ಆ ಮೊಬಲಗನ್ನು, ಹನ್ನೆರಡು ವಾರ್ಷಿಕ ಕಂತುಗಳಲ್ಲಿ ತೀರಿಸಲ್ಪಡತಕ್ಕ ಒಂದು ಮುಂಗಡಃ ಧಾವಿಸತಕ್ಕುದಾಗಿದೆ. ಒಟ್ಟು ಕಂಟ್ರಿಬ್ಯೂಷ್ಟ್ ಮೊಬಲಗಿನಲ್ಲಿ ಹತ್ತನೆಯ ಒಂದು ಭಾಗದ ಮೊಬಲಗನ್ನು ಪೂರ್ತಾ ಕಂತು ಮೊಬಲಗೆಂದು ಭಾವಿಸತಕ್ಕುದು. ಮೊದಲಣ ನಾಲ್ಕು ವರುಷಗಳ ಅವಧಿಯಲ್ಲಿ ಯಾವುದೆ ವರುಷವೂ ಈ ಪೂರ್ತಾ ಕಂತು ಮೊಬಲಗನ್ನು ಕೂಡ (ಎಂದರೆ ಒಟ್ಟು ಕಂಟ್ರಿಬ್ಯೂಷ್ಟ್ ಮೊಬಲಗಿನಲ್ಲಿ ಲ್ಲೊಂದು ಭಾಗದ ಮೊಬಲಗನ್ನು ಕೂಡ) ಕಟ್ಟಬೇಕಾಗಿಲ್ಲ; ಅದರ ಒಂದೊಂದು ಭಾಗದ ಮೊಬಲಗನ್ನು ಮೊದಲನೆಯ ವರುಷ ಅದರಲ್ಲಿ ಕಾಲುಭಾಗವನ್ನೂ, ಎರಡನೆಯ ವರುಷ ಅದರಲ್ಲಿ ಅರ್ಧಭಾಗವನ್ನೂ, ನೆಯ ವರುಷ ಅದರಲ್ಲಿ ಅರ್ಧಭಾಗವನ್ನೂ, ನಾಲ್ಕನೆಯ ವರುಷ ಅದರಲ್ಲಿ ಮುಕ್ಕಾಲು ಭಾಗವನ್ನೂ ಕೊಮತ್ತು ಉಳಿದ ಹಣವನ್ನು ಎಂಟು ವಾರ್ಷಿಕ ಸಮಕಂತುಗಳಲ್ಲಿ ಆ ಮುಂದಿನ ಎಂಟು ವರುಷಗಳ ಅವಕೊಡತಕ್ಕುದು. ಕ್ಲುಪ್ತಕಾಲಕ್ಕೆ ಸರಿಯಾಗಿ ಹೀಗೆ ಕಂತು ಮೊಬಲಗುಗಳನ್ನು ಪಾವತಿಮಾಡದೆ ತಪ್ಪಿದರೆ, ಯಾದ ಕಂತು ಮೊಬಲಗಿನ ಮೇಲೆ ವಾಡಿಕೆಯ ಪದ್ಧತಿಯಂತೆ ಬಡ್ಡಿಯನ್ನು ಪಾವತಿ ಮಾಡತಕ್ಕುದಾಗಿದೆ. ಜ
ನಾಗುವಳಿಗೆ ನೀರು ಸರಬರಾಯಿಯಾದ ಸರ್ಕಾರಿ ವರ್ಷದ ಆಖ್ಯೈರಿನೊಳಗಾಗಿ ಮೊದಲನೆಯ ಕಂತನ್ನು
ತಕ್ಕುದಾಗಿದೆ; ಅನಂತರ ಕೊಡತಕ್ಕ ಕಂತುಗಳನ್ನು ಆ ಮುಂದೆ ಪ್ರತಿ ವರ್ಷದ ಆಖ್ಯೈರಿನೊಳಗಾಗಿ ಕೂ
ದಾಗಿದೆ. ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಟ್ಟ ಸರ್ಕಾರಿ ವರ್ಷದ ಆಖ್ಯೈರಿನೊಳಗಾಗಿ ಕಂಟ್ರಿಬ್ಯೂಷನನ್ನು ಪೂರ್ತಿ
ನಾನು ಪಾವತಿ ಮಾಡಿದಲ್ಲಿ ಶೇಕಡಾ ೫ರಂತೆ ಸೋಡಿಯನ್ನು (ರಿಬೇಟನ್ನು) ಪಡೆಯಲು ಹಕ್ಕುಳ್ಳವನಾಗಿರುತ್ತೆ

3. ಕೊಡಬೇಕಾದ ನೀರು ಸರದಿಯು ಖುಷ್ಕಿ ಕಂದಾಯದ ಜೊತೆಗೆ ಕೊಡತಕ್ಕುದಾಗಿದೆ; ಅಲ್ಲ
ಕೆಳಗೆ ನಮೂದಿಸಿರತಕ್ಕ ದರಗಳಲ್ಲಿ ಈ ನೀರು ಸರದಿಯನ್ನು ಪಾವತಿ ಮಾಡತಕ್ಕುದಾಗಿದೆ :—

ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಟ್ಟ ಮೊದಲನೇ ವರ್ಷದಲ್ಲಿ	....	ಎಕರೆ ಒಂದಕ್ಕೆ ನಾಲ್ಕು ರೂಪಾಯಿಗಳ
ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಟ್ಟ ಎರಡನೇ ವರ್ಷದಲ್ಲಿ	....	ಎಕರೆ ಒಂದಕ್ಕೆ ಆರು ರೂಪಾಯಿಗಳ
ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಟ್ಟ ಮೂರನೇ ವರ್ಷದಲ್ಲಿ	....	ಎಕರೆ ಒಂದಕ್ಕೆ ಎಂಟು ರೂಪಾಯಿಗಳ
ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಟ್ಟ ನಾಲ್ಕನೇ, ಐದನೇ ಮತ್ತು ಆರನೇ ವರ್ಷದಲ್ಲಿ	....	ಎಕರೆ ಒಂದಕ್ಕೆ ಹತ್ತು ರೂಪಾಯಿಗಳು

ಸರ್ಕಾರದವರು ಆರು-ವರ್ಷಗಳ ನಂತರ-ಈ ನೀರು ಸರದಿಯನ್ನು ಬದಲಾಯಿಸಬಹುದಾಗಿದ. ಮತ್ತು ಆ ತರುವಾಯ 10 ವರುಷಗಳಿಗೆ ಕಡಿಮೆ ಇಲ್ಲದಷ್ಟು ಕಾಲಕ್ಕೊಂದು ಸಲದಂತೆ ಪುನಃ ಬದಲಾಯಿಸಬಹುದಾಗಿದೆ. ಮೊದಲಣ ಆರು ವರುಷಗಳು ಕಳೆದ ನಂತರ ಮೊಟ್ಟಮೊದಲನೆ ಸಲ ಮಾಡತಕ್ಕ ಬದಲಾವಣೆಯಲ್ಲಿ ಶೇಕಡಾ 25ರಷ್ಟು ಪರಿಮಿತಿಗೆ ಪರಮಾವಧಿ ಪರಿಮಿತಿಯೊಂದನ್ನು ಮೀರದಂತೆ ನೀರು ಸರದಿ ಮೊಬಲಗಿನ ದರಗಳನ್ನು ಬದಲಾಯಿಸತಕ್ಕುದಾಗಿದೆ.

4. ಈ ಕೆಳಗೆ ನಮೂದಿಸಿರುವಂತೆ ತ್ರೈವಾರ್ಷಿಕ ಸರದಿಯ ಪದ್ಧತಿಯ ಮೇರೆಗೆ ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಡುವುದೆಂದು ನಾನು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ:—

ಒಂದು ವರ್ಷ.—ಮಳೆಗಾಲದಲ್ಲಿ ಸುಮಾರು ಆರು ತಿಂಗಳುಗಳವರೆಗೆ ಅವಿಚ್ಛಿನ್ನವಾಗಿ ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಡುವುದು.

ಆ ಮುಂದಣ ವರ್ಷ.—ಮಳೆಗಾಲದಲ್ಲಿ ಸುಮಾರು ಆರು ತಿಂಗಳುಗಳವರೆಗೆ, ಸ್ವಲ್ಪಕಾಲ ನೀರು ಸರಬರಾಯಿ ಮಾಡಿ ಅನಂತರ ಸ್ವಲ್ಪಕಾಲ ಬಿಟ್ಟು ಆಗಾಗ್ಗೆ ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಡುವುದು.

ಅದರ ಮುಂದಣ ವರ್ಷ.—ವರ್ಷದ ಹನ್ನೆರಡು ತಿಂಗಳುಗಳಲ್ಲಿಯೂ, ಸ್ವಲ್ಪಕಾಲ ನೀರು ಸರಬರಾಯಿ ಮಾಡಿ ಸ್ವಲ್ಪಕಾಲ ಬಿಟ್ಟು ಆಗಾಗ್ಗೆ ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಡುವುದು.

ಅದರ ಮುಂದಣ ವರ್ಷ.—ಮಳೆಗಾಲದಲ್ಲಿ ಸುಮಾರು ಆರು ತಿಂಗಳುಗಳವರೆಗೆ ಅವಿಚ್ಛಿನ್ನವಾಗಿ ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಡುವುದು.

ಇತ್ಯಾದಿ, ಇತ್ಯಾದಿ ಸರದಿಯಮೇಲೆ.

ನೀರು ಹಾಯಿಸಲ್ಪಡತಕ್ಕ ಜಮೀನುಗಳನ್ನು ಸುಮಾರು 50ರಿಂದ 150 ಎಕರೆಗಳವರೆಗೆ ಅಥವಾ ಅದಕ್ಕಿಂತ ಹೆಚ್ಚಾದ ವಿಸ್ತೀರ್ಣವುಳ್ಳ ಹಂತಗಳಾಗಿ ವಿಭಾಗಿಸಲಾಗುವುದೆಂದೂ ಸಹ ನನಗೆ ತಿಳಿದು ಬಂದಿದೆ. ಈ ಹಂತಗಳಲ್ಲಿ ಪ್ರತಿಯೊಂದನ್ನೂ ಸಮವಾದ ವಿಸ್ತೀರ್ಣವುಳ್ಳ ಅಥವಾ ಅದಷ್ಟು ಸರಿ ಸುಮಾರಾಗಿ ಸಮವಾದ ವಿಸ್ತೀರ್ಣವುಳ್ಳ ಮೂರು ತಾಕುಗಳಾಗಿ ವಿಂಗಡಿಸಲಾಗುವುದೆಂಬುದನ್ನೂ ನಾನು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಅಲ್ಲದೆ ಯಾವುದೊಂದು ವರ್ಷದಲ್ಲೇ ಆಗಲಿ, ಈ ಮೂರು ತಾಕುಗಳಲ್ಲಿ ಒಂದು ತಾಕಿಗೆ ಆರು ತಿಂಗಳುಗಳ ಕಾಲ ಅವಿಚ್ಛಿನ್ನವಾಗಿ ನೀರು ಸರಬರಾಯಿಯಾಗುವಂತೆಯೂ, ಮತ್ತೊಂದು ತಾಕಿಗೆ ಮಳೆಗಾಲದಲ್ಲಿ ಆರು ತಿಂಗಳುಗಳ ಕಾಲ ಆಗಾಗ್ಗೆ ನೀರು ಸರಬರಾಯಿಯಾಗುವಂತೆಯೂ, ಮೂರನೇ ತಾಕಿಗೆ ಹನ್ನೆರಡು ತಿಂಗಳುಗಳಲ್ಲಿಯೂ ಆಗಾಗ್ಗೆ ನೀರು ಸರಬರಾಯಿಯಾಗುವಂತೆಯೂ ಏರ್ಪಾಡಾಗಿರುವ ವಿಚಾರವೂ ನನಗೆ ಗೊತ್ತುಂಟು. ಮೇಲೆ ನಮೂದಿಸಿರುವ ಕ್ರಮದ ಮೇರೆಗೆ ನೀರು ಸರಬರಾಯಿಯಾಗುವದಕ್ಕೆ ನಾನು ಒಪ್ಪಿರುತ್ತೇನೆ.

.....

ರುಜು.

ಸಾಕ್ಷಿಗಳು—

1.....

2.....

ಸ್ಥಳ .....

ತಾರೀಖು.....19 .

ಷೆಡ್ಯೂಲ್.

ತಾಲ್ಲೂಕು	ಹೋಬಳಿ	ಗ್ರಾಮ	ಸರ್ವೆ ನಂಬರು	ವಿಸ್ತೀರ್ಣ

WD 0738– GPB—50 pads of 100 leaves each—19-6-58

2-E

1932ನೆಯ ಇಸವಿ ಫೆಬ್ರವರಿ 23ನೆಯ ನಂಬರು 1365-89—ಕೆ. ಎಸ್. ಎಸ್. 4634-58ನೆಯ ನಂಬರು ಸರ್ಕಾರಿ ಹುಕುಮಿಗನುಸಾರವಾಗಿ ತಿದ್ದುಪಾಟಾದುದು.

ಖಾಲಿ ಇರತಕ್ಕ ಕೆರೆಗಳಲ್ಲಿ ಅರ್ಧಿ ನಾಲೆಯ ದೆಸೆಯಿಂದ ನೀರು ಸರಬರಾಯಿಯು ಮೇಲ್ಪಡುವಂಥವುಗಳ ಕೆಳಗಿನ ತರಿ ಜಮಾನುಗಳ ಬಾಬತು ಮುಚ್ಚಳಿಕೆ.

———.

ಸರ್ಕಾರದವರು ಅರ್ಧಿ ನಾಲೆಯನ್ನೂ, ಉಪನಾಲೆಗಳನ್ನೂ, ನೀಳು ನಾಲೆಗಳನ್ನೂ ಕಟ್ಟಿಸಿಯೂ ಮತ್ತು ಜಲನಿರ್ಗಮನದ "ಡ್ರೈನೇಜ್" ಕಾಮಗಾರಿಗಳನ್ನೂ ನಡೆಯಿಸಿಯೂ ಇರುವ ಪ್ರಯುಕ್ತ.....
.....ತಾಲ್ಲೂಕಿನಲ್ಲಿರುವ..... .....ಕೆರೆಯಿಂದ ಸಾಗುವಳಿಯಾಗುವ ಮತ್ತು ಇದರೊಡನೆ ಇರತಕ್ಕ ಷೆಡ್ಯೂಲಿನಲ್ಲಿ ನಮೂದಿಸಲ್ಪಟ್ಟಿರುವ ನನ್ನ ಜಮಾನುಗಳಿಗೆ ನೀರು ಸರಬರಾಯಿಯಾಗುವುದರಲ್ಲಿ ಮೇಲ್ಪಾಟು ನಡೆದುದಕ್ಕೆ ಪ್ರತಿಯಾಗಿ.....ಡಿಸ್ಟ್ರಿಕ್ಟು.....
.....ತಾಲ್ಲೂಕು..... .....ಹೋಬಳಿ.....ಗ್ರಾಮದಲ್ಲಿ ವಾಸಮಾಡುತ್ತಿರುವ ಮತ್ತು ಆ ಜಮಾನುಗಳ ಹಿಡುವಳಿದಾರನಾದ..... .....ರ ಮಗ.....ಎಂಬ ನಾನು ನನ್ನ ಪರವಾಗಿಯೂ ಮತ್ತು ನನ್ನ ವಾರಸುದಾರರು, ಉತ್ತರಾಧಿಕಾರಿಗಳು ಮತ್ತು ಹವಾಲ್ದೆದಾರರು, ಇವರುಗಳ ಪರವಾಗಿಯೂ ಸರ್ಕಾರಕ್ಕೆ ಒಟ್ಟು ಮೊತ್ತದ "ಲಂಪ್ ಸಮ್ ಕಂಟ್ರಿಬ್ಯೂಷ್ಟ್" ಮೊಬಲಗನ್ನೂ, ಮತ್ತು ಜಮಾನು ಕಂದಾಯ ಮತ್ತು ಎಕರೆವಾರು ಕಂಟ್ರಿಬ್ಯೂಷ್ಟ್ ಮೊಬಲಗುಗಳ ಪಾವತಿಯ ವಿಷಯದಲ್ಲಿ ಏರ್ಪಟ್ಟಿರತಕ್ಕ ವಾಡಿಕೆಯಾದ ನಿಬಂಧನೆಗಳ ಮೇರೆಗೆ, ಈ ಕೆಳಗೆ ನಮೂದಿಸಿರತಕ್ಕ ವಾರ್ಷಿಕ ಹೆಚ್ಚಿಗೆ ಕಂದಾಯವನ್ನೂ ಸಹ, ಸಲ್ಲಿಸಲು ಬದ್ಧನಾಗಿ ಒಪ್ಪಿಕೊಂಡಿರುತ್ತೇನೆ :—

1. ಒಟ್ಟು ಮೊತ್ತದ "ಲಂಪ್ ಸಮ್ ಕಂಟ್ರಿಬ್ಯೂಷ್ಟ್" ಮೊಬಲಗು, ಕೆರೆಯಿಂದ ಈಗ ಸಾಗುವಳಿಯಾಗತಕ್ಕ ತರಿ ಅಥವಾ ಬಾಗಾಯಿತು ಜಮಾನಿಗೆ ಎಕರೆಯೊಂದಕ್ಕೆ..... ....ರೂಪಾಯಿಗಳಂತೆ ಇರತಕ್ಕುದಾಗಿದೆ.

2. ನೀರು ಸರಬರಾಯಿಯಲ್ಲಿ ಮೇಲ್ಪಾಟು ಯಾವ ವರ್ಷದಲ್ಲಿ ನಡೆಯಿತೋ ಆ ಸರ್ಕಾರಿ ಸಾಲಿನ ಆಖೈರಿನೊಳಗಾಗಿ, ಕಂಟ್ರಿಬ್ಯೂಷ್ಟ್ ಮೊಬಲಗು ಒಂದೇ ಮೊತ್ತವಾಗಿ ಪಾವತಿ ಮಾಡಲ್ಪಡತಕ್ಕುದಾಗಿದೆ. ಅಥವಾ ನಾನು ಇಷ್ಟಪಟ್ಟಲ್ಲಿ, ಸಮವಾದ ನಾಲ್ಕು ವಾರ್ಷಿಕ ಕಂತುಗಳಲ್ಲಿ ಸಲ್ಲಿಸಲ್ಪಡತಕ್ಕುದಾಗಿದೆ.

3. ಹಾಲಿ ಇರುವ $\frac{\text{ತರಿ}}{\text{ಬಾಗಾಯಿತು}}$ ಕಂದಾಯಕ್ಕೆ ಮೇಲ್ಪಟ್ಟು ಪಾವತಿಯಾಗಿರತಕ್ಕ ಹೆಚ್ಚಿಗೆ ಕಂದಾಯವು 1931-32ನೆಯ ಸಾಲಿನ ಲಾಗಾಯಿತು ಆರು ವರ್ಷಗಳವರೆಗೆ ಎಕರೆಯೊಂದಕ್ಕೆ $\frac{\text{ರೂಪಾಯಿಗಳು}}{\text{ರೂ.}}$ ಈ ಮೇರೆಗೆ ಇರತಕ್ಕುದಾಗಿದೆ. ಕಂದಾಯವು ಆರು ವರ್ಷಗಳ ತರುವಾಯ ಸರ್ಕಾರದವರಿಂದ ಬದಲಾಯಿಸಲ್ಪಡಬಹುದಾಗಿದೆ; ಮತ್ತು ಆ ತರುವಾಯ ಹತ್ತು ವರುಷಗಳಿಗೆ ಕಡಿಮೆಯಿಲ್ಲದಷ್ಟು ಕಾಲಕ್ಕೊಂದುಸಲದಂತೆ ಪುನಃ ಬದಲಾಯಿಸಬಹುದಾಗಿದೆ. ಮೊದಲಣ ಆರು ವರುಷಗಳು ಕಳೆದ ನಂತರ ಮೊಟ್ಟಮೊದಲನೆಯ ಸಲ ಮಾಡತಕ್ಕ ಬದಲಾವಣೆಯಲ್ಲಿ, ಶೇಕಡಾ 25 ರಷ್ಟುಮಟ್ಟಿನ ಪರಮಾವಧಿ ಪರಿಮಿತಿಯೊಂದನ್ನು ಮೀರದಂತೆ ಕಂದಾಯದ ದರಗಳನ್ನು ಬದಲಾಯಿಸತಕ್ಕುದಾಗಿದೆ.

.....
ರುಜು.

ಸಾಕ್ಷಿಗಳು—

1.....

2..... ....

ಸ್ಥಳ.....

ತಾರೀಖು..... 193

ಷೆಡ್ಯೂಲು.

ತಾಲ್ಲೂಕು	ಹೋಬಳಿ	ಗ್ರಾಮ	ಸರ್ವೇ ನಂಬರು	ವಿಸ್ತೀ

C.

ಹಾಲಿ ಇರತಕ್ಕ ಕೆರೆಗಳಲ್ಲಿ ಅರ್ವಿ ನಾಲೆಯ ದೆಸೆಯಿಂದ ನೀರು ಸರಬರಾಯಿಯು ಮೇಲ್ಪಟ್ಟು ಹೊಸದಾಗಿ ನೀರಾವರಿಯಾಗತಕ್ಕ ಖುಷ್ಕಿ ಜಮೀನುಗಳ ಬಾಬತು ಮುಚ್ಚಳಿಕೆ.

ಸರ್ಕಾರದವರು ಅರ್ವಿ ನಾಲೆಯನ್ನೂ, ಉಪನಾಲೆಯನ್ನೂ, ನೀಳು ನಾಲೆಗಳನ್ನೂ ಕಟ್ಟಿಸಿಯೂ ಮತ್ತು ಜಲನಿರ್ಗಮನದ "ಡ್ರೈನೇಜ್" ಕಾಮಗಾರಿಗಳನ್ನೂ ನಡೆಯಿಸಿಯೂ ಇರುವ ಪ್ರಯುಕ್ತ.....ತಾಲ್ಲೂಕಿನಲ್ಲಿ ರುವ.....ಕೆರೆಯಿಂದ ನಾಗುವಳಿಯಾಗುವ ಮತ್ತು ಇದರೊಡನೆ ಇರತಕ್ಕ ಷೆಡ್ಯೂಲನಲ್ಲಿ ನಮೂದಿಸಲ್ಪಟ್ಟಿರುವ ನನ್ನ ಜಮೀನುಗಳಿಗೆ ನೀರು ಸರಬರಾಯಿಯಾಗುವುದರಲ್ಲಿ ಮೇಲ್ಪಾಟು ನಡೆದುದಕ್ಕೆ ಪ್ರತಿಯಾಗಿ.... ....ಡಿಸ್ಟ್ರಿಕ್ಟು.....ತಾಲ್ಲೂಕು..... .....ಹೋಬಳಿ..... ...ಗ್ರಾಮದಲ್ಲಿ ವಾಸಮಾಡುತ್ತಿರುವ ಮತ್ತು ಆ ಜಮೀನು ಗಳ ಹಿಡುವಳಿದಾರನಾದ. ....ರ ಮಗ..... ..... ಎಂಬ ನಾನು ನನ್ನ ಪರವಾಗಿಯೂ ಮತ್ತು ನನ್ನ ವಾರಸುದಾರರು, ಉತ್ತರಾಧಿಕಾರಿಗಳು ಮತ್ತು ಹವಾಲ್ದೆದಾರರು ಇವರುಗಳ ಪರವಾಗಿಯೂ ಸರ್ಕಾರಕ್ಕೆ ಒಟ್ಟು ಮೊತ್ತದ "ಲಂಪ್‌ಸಮ್ ಕಂಟ್ರಿಬ್ಯೂಷ್ಷ" ಮೊಬಲಗನ್ನೂ, ಮತ್ತು ಜಮೀನು ಕಂದಾಯ ಮತ್ತು ಎಕರೆವಾರು ಕಂಟ್ರಿಬ್ಯೂಷ್ಷ ಮೊಬಲಗುಗಳ ಪಾವತಿಯ ವಿಷಯದಲ್ಲಿ ಏರ್ಪಟ್ಟಿರತಕ್ಕ ವಾಡಿಕೆಯಾದ ನಿಬಂಧನೆಗಳ ಮೇರೆಗೆ, ಈ ಕೆಳಗೆ ನಮೂದಿಸಿರತಕ್ಕ ವಾರ್ಷಿಕ ಹೆಚ್ಚಿಗೆ ಕಂದಾಯವನ್ನೂ ಸಹ, ಸಲ್ಲಿಸಲು ಬದ್ಧನಾಗಿ ಒಪ್ಪಿಕೊಂಡಿರುತ್ತೇನೆ.

1. ಒಟ್ಟು ಮೊತ್ತದ "ಲಂಪ್‌ಸಮ್ ಕಂಟ್ರಿಬ್ಯೂಷ್ಷ" ಮೊಬಲಗು ಕೆರೆಯಿಂದ ಹೊಸದಾಗಿ ತೆಗೆದ ನಾಲೆಗಳಿಂದ ಮತ್ತು ಅದರ ನೀಳು ನಾಲೆಗಳಿಂದ ನೀರಾವರಿಯಾಗತಕ್ಕ ಖುಷ್ಕಿ ಮತ್ತು ಖುಷ್ಕಿ ಬಾಗಾಯ್ತು ಜಮೀನಿನ ಎಕರೆಯೊಂದಕ್ಕೆ 80 ರಿಂದ 120 ರೂಪಾಯಿಗಳಂತೆ ಇರತಕ್ಕುದು.

2. ನೀರಾವರಿಗಾಗಿ ಯಾವ ವರ್ಷದಲ್ಲಿ ನೀರು ಒದಗಿಸಲ್ಪಡುವುದೋ ಆ ಸರ್ಕಾರಿ ಸಾಲಿನ ಅಖ್ಯೈರಿನೊಳಗಾಗಿ ಕಂಟ್ರಿ ಬ್ಯೂಷ್ಷ ಮೊಬಲಗು ಒಂದೇ ಮೊತ್ತದಲ್ಲಿ ಕೊಡಲ್ಪಡತಕ್ಕುದಾಗಿದೆ. ಅಥವಾ ನಾನು ಇಷ್ಟಪಟ್ಟಲ್ಲಿ, ಆ ಮೊಬಲಗನ್ನೂ, ಹತ್ತು ಸಮನಾದ ವಾರ್ಷಿಕ ಕಂತುಗಳಲ್ಲಿ ತೀರಿಸಲ್ಪಡತಕ್ಕ ಒಂದು ಮುಂಗಡವನ್ನಾಗಿ ಧಾಮಿಸತಕ್ಕುದಾಗಿದೆ. ಕ್ಲುಪ್ತಕಾಲಕ್ಕೆ ಸರಿಯಾಗಿ ಹೀಗೆ ಕಂತು ಮೊಬಲಗುಗಳನ್ನು ಪಾವತಿಮಾಡದೆ ತಪ್ಪಿದರೆ, ಸುಸ್ತಿಯಾದ ಕಂತು ಮೊಬಲಿನ ಮೇಲೆ ವಾಡಿಕೆಯ ಪದ್ಧತಿಯಂತೆ ಬಡ್ಡಿಯನ್ನು ಪಾವತಿ ಮಾಡತಕ್ಕುದಾಗಿದೆ. ಜಮೀನು ನಾಗುವಳಿಗೆ ನೀರು ಸರಬರಾಯಿಯಾದ ಸರ್ಕಾರಿ ವರ್ಷದ ಅಖ್ಯೈರಿನೊ ಳಗಾಗಿ ಮೊದಲನೆಯ ಕಂತನ್ನು ಕೊಡತಕ್ಕುದಾಗಿದೆ ; ಆನಂತರ ಕೊಡತಕ್ಕ ಕಂತುಗಳನ್ನು ಆ ಮುಂದೆ ಪ್ರತಿ ವರ್ಷದ ಅಖ್ಯೈರಿನೊ ಳಗಾಗಿ ಕೊಡತಕ್ಕುದಾಗಿದೆ. ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಟ್ಟ ಸರ್ಕಾರಿ ವರ್ಷದ ಅಖ್ಯೈರಿನೊಳಗಾಗಿ ಕಂಟ್ರಿಬ್ಯೂಷನನ್ನು ಪೂರ್ತಿಯಾಗಿ ನಾನು ಪಾವತಿ ಮಾಡಿದಲ್ಲಿ ಶೇಕಡಾ 5ರಂತೆ ಸೋಡಿಯನ್ನು (ರಿಬೇಟನ್ನು) ಪಡೆಯಲು ಹಕ್ಕುಳ್ಳವನಾಗಿರುತ್ತೇನೆ.

3. ಕೊಡಬೇಕಾದ ನೀರು ಸರದಿಯು ಖುಷ್ಕಿ ಕಂದಾಯದ ಜೊತೆಗೆ ಕೊಡತಕ್ಕುದಾಗಿದೆ ; ಅಲ್ಲದೆ ಈ ಕೆಳಗೆ ನಮೂದಿಸಿರ ತಕ್ಕ ದರಗಳಲ್ಲಿ ಈ ನೀರು ಸರದಿಯನ್ನು ಪಾವತಿ ಮಾಡತಕ್ಕುದಾಗಿದೆ :—

			ರೂ. ಆ. ಪೈ.
ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಟ್ಟ ಮೊದಲನೇ ವರ್ಷದಲ್ಲಿ	...	....	ಎಕರೆ ಒಂದಕ್ಕೆ 3—5—0
ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಟ್ಟ ಎರಡನೇ ವರ್ಷದಲ್ಲಿ	....	....	ಎಕರೆ ಒಂದಕ್ಕೆ 5—0—0
ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಟ್ಟ ಮೂರನೇ ವರ್ಷದಲ್ಲಿ	....	....	ಎಕರೆ ಒಂದಕ್ಕೆ 6–10—0
ನೀರು ಸರಬರಾಯಿ ಮಾಡಲ್ಪಟ್ಟ ನಾಲ್ಕನೇ, ಐದನೇ ಮತ್ತು ಆರನೇ ವರ್ಷಗಳಲ್ಲಿ.			ಎಕರೆ ಒಂದಕ್ಕೆ 8—4—0

ಕಂದಾಯವು ಆರು ವರ್ಷಗಳ ತರುವಾಯ ಸರ್ಕಾರದವರಿಂದ ಬದಲಾಯಿಸಲ್ಪಡಬಹುದಾಗಿದೆ ; ಮತ್ತು ಆ ತರುವಾಯ 10 ವರುಷಗಳಿಗೆ ಕಡಿಮೆಯಿಲ್ಲದಷ್ಟು ಕಾಲಕ್ಕೊಂದು ಸಲದಂತೆ ಪುನಃ ಬದಲಾಯಿಸಬಹುದಾಗಿದೆ, ಮೊದಲಣ ಆರು ವರುಷಗಳು ಕಳೆದ ನಂತರ ಮೊಟ್ಟಮೊದಲನೆಯ ಸಲ ಮಾಡತಕ್ಕ ಬದಲಾವಣೆಯಲ್ಲಿ, ಶೇಕಡಾ 25ರಷ್ಟು ಮುಟ್ಟಿನ ಪರಮಾವಧಿ ಪರಿಮಿತಿಯೊಂ ದನ್ನು ಮೀರದಂತೆ ಕಂದಾಯದ ದರಗಳನ್ನು ಬದಲಾಯಿಸತಕ್ಕುದಾಗಿದೆ

ಷೆಡ್ಯೂಲು.

ತಾಲ್ಲೂಕು	ಹೋಬಳಿ	ಗ್ರಾಮ	ಸರ್ವೇ ನಂಬರು	ವಿಸ್ತೀರ್ಣ

To,

The Divisional Commissioner,

Yours Sir,

I am directed to state that the team of officers appointed for verification booking of irrigation Contribution and water rate demand in the Taluk, ~~has~~ has after going through the records in respect of Srirangapatna Taluka and Pandavapura Taluka of Mandya District, ~~has~~ reported that Contribution and water rate as shown in the margin remains to be booked. I am to request you to direct the concerned DCs to take up the question of booking demand immediately and forward a report of action taken for information of Govt.

Copies of Statements showing the Contribution and water Rate that has to be booked in their two Taluks, may be obtained from the Director, Efficiency Audit & Anti Corruption Cell.

Issued In No. PWD
Dated 11.5.60

Srirangapatna Tk.

Contribution Rs 1,32,622-73
Water Rate 21,279-03

Pandavapura Tk

Contribution = Rs 1,35,390-50
Water Rate 40,929-69

Copy to the D.C., Nanded for immediate necessary action.

Copy to the Director, Efficiency Audit & Anti-Corruption Deptt for information and necessary action. The question of booking of demand in the District may be ~~checked~~ followed up in the concerned D.C.S and report forwarded to Govt. Orders with regard to other issues raised in this report will be obtained and Communicated ~~by~~ shortly

Under Secy
Rao.

(4)

Appendix F. G.—1]

SUBJECT Booking of water rate and Contribution demands

Diary No. of letter replied to .....

Mysore Government Secretariat.

Date of issue 4/6/60

Signed by.....

List of enclosures .....

Copied by.....

Examined by .....

Section

File No.

Serial No.

No. To The Director, Efficiency Audit & Anti Corruption Deptt, Bangalore

Sir,

Ref:- Your letter no. IWC. 3/1512/59-60 dated 9/11-4-60

W.r. to the above I am directed to request you to forward a copy of G.O. according to which water rate of Rs 10/- per acre is being recovered for irrigated land under the V.C. area. Copies of reports of the D.Cs & the concerned Tahsildars, who have not taken action to book the difference of water rate from 1956-57 as per G.O. no. PWA. 934-41 Irn 10-56-1 dated 11.5.56 may also kindly be sent for taking necessary action.

Immediate compliance is requested

Yours faithfully

Under Secy to Govt

GOVERNMENT OF MYSORE

No. PWD 14 GIG 60

Mysore Government Secretariat,
VIDHANA SOUDHA.

Dated, Bangalore, 4th June 1960.

FROM

The *Secretary to the Government of Mysore,*
Public Works Department,

To

The Director,
Efficiency Audit & Anti-Corruption, Department,
BANGALORE.

Sir,

Sub:- Booking of Water rate and Contribution demands.

Ref:- Your letter no.IWC.3/1512/59-60 dt. 9/11-4-60

With reference to the above I am directed to request you to forward a copy of G.O. according to which water rate of Rs.10/- per acre is being recovered for ~~Xxxx~~ Sugar Cane under the V.C.area. Copies of reports of the Deputy Commissioner's or the Tahsildars concerned who have not taken action to book the difference of water rate from 1956-57 as per G.O.No.PWA 934-41 Ira 10-56-1 dated 11-5-1956 may also kindly be sent for taking necessary action.

Immediate compliance is requested.

Yours faithfully,

o/c

C.J.Venkatesa Das 3-6-60

(C.J.Venkatesa Das)
Under Secretary to Government(PWD)

P.2.

C. F. No. 45]

Tele gram / phone

GOVERNMENT OF MYSORE

(57)

No. SWC. 3|15121|59-60.
Encls.

OFFICE OF
THE DIRECTOR, ANTI-CORRUPTION AND
TECHNICAL AUDIT (PWD), BANGALORE

Date 8th June, 1960.

To

The Secretary to Government,
Public Works Department,
Vidhana Soudha, Bangalore.

SIR,

Sub: Booking of Water Rate and Contribution Demands.

Ref: Your letter No. PWD 14 GIG 60 Dated 4th June 1960 in the matter.

-o-

With reference to the above, I write to state that the booking has been done on the basis of information furnished by the Executive Engineer, V.C.Division and the Tahsildars of Mandya District. During verification it was ascertained that Water Rate in the V.C.Area is being recovered at a flat rate of Rs. 10/- per acre and no Government Order or other reference was available. However, the Deputy Commissioner, Mandya (District) has been requested to send a copy of the G.O. if any as also the correspondence with the Tahsildars with reference to booking of Water Rate as per G.O. No. PWD 934-41 Irn 10-56-1 Dated 11-5-1956 for being sent to Government.

Yours faithfully,

DIRECTOR,
Anti-Corruption and
Technical Audit (PWD).

8.6.60.

ksk/

GOVERNMENT OF MYSORE

Tele gram / phone

No. TWC.3/1512/59-60
Encls.

OFFI
Director, Anti-C
Technical Audit (...), ...
Bangalore-1.

To

The Divisional Commissioner,
Mysore Division,
Mysore.

NT SECRETARIAT
Sm,
10 JUN 1960
PUBLIC WORKS DEPARTMENT

Sub:- Booking of Water Rate and Contribution in Srirangapatna and Pandavapura Taluks.

Ref:- G.O.No.PWD 14 GIG 60 dated 11.5.1960 of the Secretary to Govt. Public Works Department.

2) Your letter No. IRR 1530/60-61 dated 19.5.60

With reference to above, I am directed to forward herewith the statements showing in detail the Irrigation contribution and water rate that has to be booked in the Taluks of Srirangapatna and Pandavapura Taluks.

The detailed report of the team as forwarded to Government and the statement of additional water rate to be booked on Sugarcane is also forwarded for information and needful action.

MYSORE GOVERNMENT SECRETARIAT
NO. 5810/59
PUBLIC WORKS, GENERAL IRRIGATION BRANCH

Yours faithfully,

Sd/-

(M.S.Narayanaswamy)
for Director.

Copy of the above is forwarded to the Secretary to Government, Public Works Department, Bangalore for information.

(M.S.Narayanaswamy)
for Director.

GOVERNMENT OF MYSORE

OFFICE OF
THE DIRECTOR, ANTI-CORRUPTION
& TECHNICAL AUDIT (PWD), BANGALORE.

Date 15TH JUNE 1960
25 Jyeishta, S.E. 1882.

THE SECRETARY TO GOVERNMENT,
Public Works Department,
B A N G A L O R E-1.

SIR,

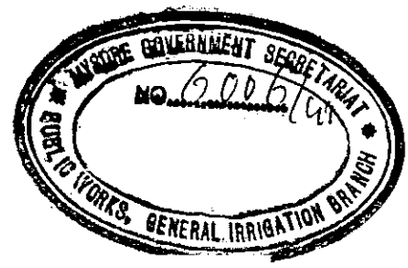
Subject:-Verification of Irrigation Contribution and Water Rate demands.

Reference:-(i)Your letter No. PWD. 14 GIG 60 date 4-6-60.

(ii)This office letter even No. dated June 1960.

With reference to the reference cited (i) above and in continuation of the reference (ii), I write to enclose herewith a copy of Government Order No. C.93-12 KSS 570-597 dated the 8th June 1931 where in the levy of Contribution and Water Rate on the atchkat under the V.C. System has been ordered. It can be seen therefrc that the contribution leviable is minimum Rs 100/- per ~~a~~/acre and maximum Rs 150/- per acre. Water Rate fixed is Rs 10/- per acre from the 5th year onwards. This is in respect of new lands brought under irrigation.

As regards the correspondance between the Tahsilc and the Deputy Commissioner of Mandya District, the connected file has been called for from the Deputy Commissioner, Mandya and will be sent on receipt there of.



Yours faithfully,

(R.J.Rebello)
DIRECTOR,

the Government of His Highness the Maharaja of Mysore.

Read:

1. G.O.No.P.W.15-24/KSS-95-104 dated 7th July 1927, sanctioning the estimates for the execution of the Irwin Canal works and calling for proposals in regard to the system of irrigation to be adopted contributions to be recovered, water rates to be charged and variou other matters relating to the development of irrigation in the area served by the canal.

2. Note No.D.253/KSS dated 4th April 31 from the Secretary, K. R. sagara works, stating that it will be possible to supply water in a couple of months to about 20,000 acres under the Maddur Branch, to begin with and that the canal may be opened in August next, and submitting the recommendations of the Committee regarding contributions and water rates to be charged, system of irrigation to be adopted, the starting of an experimental farm and various other matters.

Order No.C.93-120/Kss 570-597 dated the 8th June 1931.

The estimates for the Irwin Canal works were sanctioned in Jul 1927 and work was commenced in the month of September of the same year. The main canal from K.R. Sagara up to the tunnel, the tunnel itself, which leads the water into the Shimsha valley and the branc of the canal going towards Maddur and intended to serve about 27,00 acres have all been nearly completed, and it is expected that water will be made available in about August 1931 for irrigating 20,000 acres, to begin with, under the Maddur Branch of the canal.

2. It is necessary to indicate immediately the principles that will be adopted in regard to the system of irrigation, the rates of contribution, the water rates and other matters relating to the development of irrigation under the canal. The K.R. sagara Committee which has considered the subject in detail, has submitted the follo ing recommendations:-

(1) The rate of contribution on dry lands, that will be converted to wet, may be fixed at Rs. 90/- per acre in the case of lands class fied as ordinary during the recent soil surveys by the Agricultural department and at Rs. 120/- per acre in the case of lands classified as superior.

(2) The rate of contribution in the case of existing wet and garden lands under the tanks, which will be benefitted by the improvement in their supplies from the seepage and waste water, may be fixed at Rs. 40/- per acre in the case of lands under all tanks except that of Maddur. As regards lands under the Maddur tank, which is already fed by the Shimsha river, the rate proposed is Rs. 15/- per acre.

(3) The contribution may be recovered in ten equal annual instalments, commencing before the end of the official year in which water is made available in the canal, interest at 6¼ per cent per annum being levied on the balance due and a rebate of 5 per cent being allowed in cases in which the full amount of contribution is paid before the end of the year in which water is first made available.

(4) The water rate in the case of dry lands that will be brought under irrigation may be fixed at Rs. 4/- for the first year, Rs. 6/- for the 2nd year, Rs. 8/- for the third year and Rs. 10/- for the 4t fifth and sixth years, the rate being liable to revision after six years. The low rate during the first three years is proposed with a view to helping the ryot to prepare his lands and to promoting rapid development of irrigation. As there will be improvement in the supplies to the existing tanks in the area commanded, increase of assessment proposed is Rs. 2/- per acre for lands under those tanks and Re.1/- for lands under the Maddur tank. These rates are also subject to revision after six years.

(5) Forms of Mutchalikas or agreements to be entered into with the ryots are proposed, form 'A' for the dry lands that become irrigable and form 'B' for the existing wet and garden lands.

(6) The system of irrigation recommended by the Committee is as under:-

(a) Cultivation by rotation of crops should be the condition on which irrigation should be allowed;

(b) With this end in view a continuous supply of water is proposed to be given to each plot during the monsoon in one year an intermittent supply during the monsoon in the following year and an intermittent supply throughout the year in the third year.

(c) Actual distribution of water will be made by dividing the land selected into plots varying from 50 to 150 acres or more, as m be convenient, and further sub-dividing each plot into three e nearly equal parts or hantas and arranging continuous supplies for one part during the monsoon, intermittent supply during th monsoon for another one-third, and intermittent supply through the year for the remaining one-third. No restrictions are spe by the Committee as to the crops to be cultivated, but as padd requires continuous supply during the monsoon, it will be poss bylimiting the supply as proposed to cultivate paddy on each hanta only once in three years, while sugar cane cultivation w be practicable only on the portion for which intermittent supp is proposed to be given throughout the year. On the portion t which intermittent supply is proposed during the monsoon, only irrigated dry crops, such as potatoes, onions, turmeric etc., be cultivated. The Committee hope, by this method of irrigati to restrict paddy cultivation in any one year to one-third of area that will be irrigated by the canal and to encourage cult vation of sugar cane and other paying commercial crops.

(7) The Committee submit, for approval and publication in the Ga detailed lists of lands which are considered suitable for irriga under the Maddur Branch, and for which water is proposed to be g in August next. The lists also show the plots in which rotation is to be practised by sub dividing them into hantas.

(8) The Committee propose the starting of a Hydralic Experimenta station as suggested by the Chief Engineer at a cost of Rs. 10,00 in the first instance, and they point out that such a station is necessary for ascertaining ' duties ' for various crops, for des ing modules and sluices for securing definite discharges and for collection of various data in regard to scientific distribution water in the canals. The experiments are to be conducted by the Engineering and Agricultural departments in co-operation with ea other.

(9) The Committee approve of the proposal of the Director of Agr culture for starting a Model Agricultural Farm of nearly 550 acr at a capital cost of rupees one lakh nearly and a maximum recurr expenditure of about Rs. 66,500/-. It is anticipated that the Fa will give a net profit of about Rs. 30,000 when it is fully devel

Dr. Coleman explains the necessity for sanctioning his prop for the establishment of the farm and urges very strongly that, carrying out experiments in the cultivation of sugar cane and fo raising suitable irrigated dry and semi-dry crops, a large farm be quite necessary, and that the area should on no account be re if the development of the new system of irrigation, by rotation, to be secured.

To make up the area of 550 acres, it is proposed that, as sufficient Government land is not available in the area where the farm is to be located, about 250 acres should be acquired from private holdings by means of land exchange so as to avoid cash outlay to Government.

(10) The Committee propose that the tanks under the Irwin Canal which are now in charge of the public works department should be transferred to the K.R.Sagara section, as these tanks receive waste water from irrigation, and it is desirable that they should be in charge of the K.R. Sagara section.

3. Government have given their careful consideration to all these proposals and they generally accept the conclusions and recommend tions of the Committee with a few modifications as indicated belo

1. The rates of contribution on dry lands, proposed by the Committee are Rs. 90/- and Rs. 120/- per acre. During recent years, people in many parts of the State have eagerly come forward with contributions varying from Rs. 150/- to Rs. 250/- per acre. In the case of the extensions of the Chickadevarayasagara channel, which Government have recently sanctioned the ryots readily agreed to p Rs. 150/- per acre. Government, therefore, think that while the contributions to be recovered may be fixed moderately in the Irwi canal tract in view of the present agricultural depression and th desirability of encouraging rapid development of irrigation, the rates proposed by the Committee are too low, and accordingly orde that the minimum be fixed at Rs. 100/- and the maximum at Rs. 150/- per acre depending upon the quality of the soil and other factors

It is the recognised practice to calculate rates of contribution on the basis of not less than one half the difference between the value of dry and irrigated lands in the locality and from this point of view the rates now ordered cannot be regarded as unreasonably high. With the concession of paying the contribution in ten yearly instalments, the ryots are not likely to experience any difficulty in paying the amount.

(ii) Similarly the contribution for wet and garden lands und existing tanks is fixed at Rs. 60/- per acre under all tanks excep that of Maddur and Rs. 20/- per acre under the Maddur tank.

(iii) As regards the recovery of the contribution, Governmen accept the recommendation of the Committee to allow ten instalmen the case of dry lands converted into wet, but in the case of existing wet and garden lands, the number of instalments will be reduced to four. In both cases, the first instalment will be payable before the end of the year in which water is made availab and interest will be levied at 6¼ per cent on the balance due. A rebate of 5 per cent will be allowed in cases where the whole amount is paid up before the end of the year in which water is ma available.

(iv) The proposals of the Committee in regard to the water r to be levied on dry lands converted into wet and for enhancement assessment on account of improvement to water supply in existing tanks and the period after which they will again be revised are approved.

(v) The forms of mutchalikas proposed are approved, Governme direct that immediate steps should be taken by the Revenue Depart ment in consultation with the Public Works Department to obtain the mutchalikas from the ryots concerned.

(vi) Regarding the system of irrigation, Government have alr approved of the system of cultivation by rotation of crops in Government Order No.P.W. 15-24/KSS.95-104 dated 7th July 1927. They now agree to the detailed method proposed to secure this object no special restriction being placed on the crops to be cultivated. At the same time, Government are anxious to encourag the growing of sugar cane and other commercial crops and trust that the ryots will take advantage of the exceptional facilities afforded to them to grow sugar cane on all lands considered fit for the purpose. It is also hoped that the advantages of the cultivation of irrigated dry crops such as, potatoes, onions, to turmeric, garlic, etc., will be appreciated by the people.

(vii) Detailed lists of lands will be published in the Gaze for the information of the public.

(viii) The proposal regarding the starting of a Hydraulic experimental station is approved. The station should, however, be developed gradually.

(ix). Considering the large area that will eventually come u irrigation, a model Agricultural Farm of the extent proposed, is necessary. Government approve of the proposal made in regard to it. Government, however, direct that the capital expenditure on the farm may be spread over three years, and that the recurrin expenditure may be gradually increased to Rs. 66,500/-. The Director of Agriculture is requested to submit further proposals in connection with the Farm through the Krishnarajasagara Committ in accordance with the stages of development to be adopted.

(x) The recommendation of the Committee for the transfer of tanks under the Irwin Canal to the Krishnarajasagara section is approved.

4. Various other measures are necessary for expediting the development of irrigation in the tract, and for enabling the ryot to reap the full benefit of the facilities now provided. Among the most important is the provision of capital at favourable rate Arrangements will have to be made to make available to the cultivators tools and suitable manures. Facilities will have to be created for marketting the produce. The ryots will have to be shown improved methods of cultivation. Government trust that these and other matters affecting both the development of

irrigation and cultivation will be promptly taken up by the Departments concerned and recommendations submitted to Government in due course.

5. In regard to the proposals of the Chief Engineer, Krishnarajas Sagar Works and of the Krishnarajasagara Committee, for the reduction of reserves of land and concentration of irrigable lands with a view to the reduction of cost, Government agree that it is desirable to reduce the capital cost of the scheme as far as possible, and await further proposals in regard to this matter, th reduction of the reserved areas being made in consultation with the Director of Agriculture and Public Health.

6. Government desire that necessary steps should b the departments concerned to give effect to the decisions of Government as indicated above. Government also direct that the actual contribution in the case of each land be fixed by the Reven Sub Division Officer assisted by the Agricultural Chemist and an Assistant Engineer of the Public Works Department under the genera directions of the Deputy Commissioner.

7. In conclusion, Government convey their thanks to the Committee for the thoroughness with which they have examined the subject in all its aspects, and the very useful suggestions made by them.

Sd/- K.R. Seshachar,
Secretary to Government,
Krishnarajasagara Works.

Memo No.D4.5680/30-31. Dated, Mysore the 11th June 1931.

Copy of the above is forwarded to the Sub Division Officer, Mandya for information and immediate needful action.

Copy to the Director of Agriculture and the Chief Engineer have been addressed in the matter of deputing an Agricultural Chemi and an Assistant Engineer to assist the Sub Division Officer in fixing the actual contribution in the case of each land.

Appendix F. G.—1]

SUBJECT: Booking of water rate and Contribution demands.

Diary No. of letter replied to .....

Section

File No.

Mysore Government Secretariat.

( )

the *195*

No.

To

The Ol. Commission
Mysore Dn, Mysore

Sir

Date of issue 26.7.60

Signed by .....

I am directed to forward herewith a note (Page 2A) for the above report furnished by the Dr. ~~the~~ pertaining to the V.C. area and to request you to furnish your remarks in the matter at a very early date.

The action taken on in G.L.y even No dated 11.5.60 may also be intimated.

An immediate reply is requested.

List of enclosures .....

Copied by .....

Examined by .....

I am directed ~~to~~ write reference to letter of even No dated 11-5-60 on the above subject and to request you kindly to intimate the action taken in the matter.

Kindly arrange to send your opinion ~~remarks~~ ~~as to how to~~ regarding the proposed water rate and the ~~rate~~ rates of Contribution.

WD 04096—GPB—125—8.00,000—22-3-60

on which the collections were being made hitherto.

An immediate reply is requested.

Yours faithfully

DS PWD

GOVERNMENT OF MYSORE

(8

NoPWD 14 GIG 60.

MYSORE GOVERNMENT SECRETARI
VIDHANA SOUDHA,

Dated, Bangalore, 26.7.July....196

FROM

The *Secretary to the Government of Mysore,*
Public Works Department.

To

The Divisional Commissioner,
Mysore Division, Mysore.

Sir,

Sub:-Booking of Water rate and Contribution demands.

I am directed to forward herewith a note (page 2-) on the above subject furnished by the Director, Efficie Audit and Anticorruption, pertaining to the V.C.area an request you to furnish your remarks in the matter at a very early date.

The action taken on Govt.Letter of even number,d 11-[illegible]60 may also be intimated.

An immediate reply is requested.

Yours faithfully,

O/C

(C.J.VENKATESA DAS)
Deputy Secretary to Governmen
Public Works Department.(Irrn

ncj/
d/-18760.

J. REBELLO, I.A.S.,
Director,
Anti-Corruption & Technical Audit (PWD)

"Vidhana Soudha"
Bangalore-1.
Dated 1st August 1960.

D.O.No. TWC.3/1512/59-60

My Dear G.V.K.Rao,

Sub:- Booking of Water Rate and Contribution Demand.

Ref:- (i) My D.O.letter No. IWC.1512/59-60 dated 29-2-1960.

(ii) My D.O.Letter No. IWC.3/1512/59-60 dated 9.4.1960.

*****

MYSORE GOVERNMENT SECRETARIAT
NO. 7359/59
2 AUG 1960
PUBLIC WORKS, GENERAL IRRIGATION BRANCH

I write to invite reference to my D.O.letters referred to above as (i) and (ii) and to para 1 of the report enclosed to letter No.(ii) on the above subject. and to state that orders of Government have not yet been received on the recommendation made by me that the Revenue Auditors attached to the Divisional Commissioners should be entrusted with the work of checking the booking of Water Rate and Contribution Demand under the guidance of the Special Assistant Commissioner as per the statements and reports of the Special Team sent by this office from time to time.

As orders of Government are long awaited I request you kindly to obtain the same very early so that the work of booking the demand may keep pace wit the work of preparing and sending the statements of amounts to be booked. Unless this is done it is quit possible that there may be confusion in booking the demands in the Taluk offices.

Yours sincerely,

(R.J. REBELLO)

SECRETARIAT TO GOVERNMENT
NO. 1...4.0
1 AUG 1960
PUBLIC WORKS & ELEC. DEPT.

Sri G.V.K.Rao, I.A.S.,
Secretary to Govt. of Mysore,
Public Works & Electricity Department,
"Vidhana Soudha", BANGALORE -1.

DRAFT FOR APPROVAL.

0

The Director,
Anti Corruption and Technical Audit (P.W.D.),
Vidhana Soudha, Bangalore.

Dear Sir- Rebelo.

~~Sir,~~

Ref (1) your Do. letter DWC 3/1572/59-60 dt 9.4.60
~~(2) T.O. letter of even no.~~ Dated 11.5.60
(3) your letter ~~No.~~ DO No DWC. 3/1572/59-60. dated 1.8.60.

SUB:- Booking of water rate and Irrigation contribution Demands -- Special

I ~~am directed to~~ state that it is proposed to hold a meeting in the Chambers of the Secretary P.W. & E. on ----------1960 at to discuss the several points connected with the booking of Irrigation Contribution and Water ~~Rate Demand in the State~~. I am to request you to make it convenient to attend the meeting.

Yours faithfully,

~~Deputy~~ Secretary to Government,
P.W.&.E.

W.r.t your letters cited above I ~~am directed~~ have to state that in the first instance, the Div. Comm. Mysore has been addressed ~~requested~~ to direct the D.C.s concerned to take up the question of booking of demands in the two Talums already dt. viz Srirangapatna & Pandavapura as intimated to you in T.O. letter of even date above.

The other recommendations made by you in the above subject in your letters cited above are still under correspondence with the Div. Commissioner Mysore Concerned and the Govt in the LRD. Since, the correspondence is ~~taking much more time than~~ likely to take time ~~desired~~, it is proposed to hold a meeting of the ~~Executive Committee~~ Officers in the Chambers of the Secretary to Govt ~~Public Works~~ at ---- on ---------- so as to discuss the points and ~~decisions~~ decide the course to be adopted ~~with the least delay~~ after receipt of the replies from the Div. Comm. Mysore & Mandya.

1) Div: Comm's Mysore & Mandya.
2) Secretary to Govt Public Works
3) ~~Secretary~~ Chief Engr Irrgn
4) Secretary to Govt Finance (Irrgn)
5) Secretary to Govt

Copy of the above is forwarded to (1) the Addl. Comm. Regn. Dn (2) the Dy Comm. Bandra (3) the C2 DPO with a request that he may make it convenient to attend the meeting.

Notes on this Subject ~~will follow~~ are also enclosed for reference

DRAFT FOR APPROVAL.

The Divisional Commissioner,
Bangalore (2) Mysore Division,

Sir,

Booking of water rate and Irrigat
contribution Demands -- Special t

I am directed to state that it is pro
to hold a meeting in the chambers of the
Secretary to Government, P.W. & E., on.....
1960 at ..... to discuss the several poi
connected with the booking of Irrigation
Contribution and Water Rate Demand in the St
I am to request you to take it convenient
to attend the meeting.

DRAFT FOR APPROVAL

Dear Shri Rebello,

Sub:- Booking of water rate and irrigation contribution demands - Special Team.

Ref:-1) Your D.O. letter IWC.3/1512/59-60 Dated 9-4-1960.

2) T.O. letter of even No. dated 11-5-60.

3) Your letter No.IWC.3/1512/59-60 dated 1-8-1960.

****

I have your D.O. letter No.IWC.3/1512/59-60 date 1-8-1960 on the above subject. The Divisional Commr. Mysore has been addressed to direct the D.Cs ~~concerned~~ to take up the question of booking of demands in the two taluks of Mandya viz. Srirangapatna and Pandavapu and this has been intimated to you in this office let cited above dated 11-5-1960.

As regards other recommendations made by you on the above subject in your letter cited above ~~are~~ still under correspondence with the Divisional Commissioner concerned and the Government in the Revenue Departmen Since it is likely to take much time to decide this question by correspondence, I would suggest holding o a meeting of the officers concerned in Bangalore eith on 19th or 22nd of this month. If this suits you I will be intimating to concerned officers after hearin from you.

Yours sincerely,

(SECY.)

8.8.60.

Shri R.J. Rebello, I.A.S.,
Director,
A.C. & Tech. Audit (PWD),
B'lore.

BRP/-

Routine Note.

[To be used only for notes, requisitions, etc., not intended for permanent record]

WD 01785—GPB—50,000—22-8-58

Booking of Irrigation Contribution and water rate demand in the State

—

Do,

The Divisional Commissioner

Sir,

I am directed to state that a suggestion has been made by the Deputy appointed for Booking of Irrigation Contribution & water Rate Demand in the State that the work of pursuing the booking of Contribution & water Rate in the districts should be entrusted to the Revenue Auditors attached to the Divisional offices and that they may work under the guidance of the Special Deputy Commissioner so as to enable the Deputy to take up the work of verification and collection of data properly. I am to request you to issue necessary instructions to all the D.P.S under your jurisdiction to adhere to the above procedure.

GOVERNMENT OF MYSORE

NO.PWD 14 CIC 60

Mysore Government Secretariat,
'Vidhana Soudha'
Dated, B'lore, the 31st August 19

From

The Secretary to the Government of Mysore,
Public Works & Electricity Department.

To

The Divisional Commissioners.

Sir,

Subject:- Booking of Irrigation Contribution and Water Rate demand in the State.

-.-

I am directed to state that a suggestion has been made by the Team appointed for Booking of Irrigation Contribution and Water Rate Demand in the State that the work of pursuing the booking of Contribution and Water Rate in the districts should be entrusted to the Revenue Auditors attached to the Divisional Offices and that they may work under the guidance of the Special Assistant Commissioner so as to enable the Team to take up the work of verification and collection of data properly. I am to request you to issue necessary instructions to all the Deputy Commissioners under your jurisdiction to adhere to the above procedure.

Yours faithfully,

Sd/-
(C.J. VENKATESA DAS)
Deputy Secretary to Government,
Public Works Department (Irrigation)

Copy to:-

The Chief Engineer, Irrigation & Public Health, B'lore,
The Director, Anti-Corruption & Technical Audit(PWD), B'lore, for information.

Deputy Secretary to Government,
Public Works Department (Irrigatio

. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(Continuation sheet draft form).

Booking of ~~receipts~~ water rate and Contribution demands &c.,

Ref:- To. letter of even no. dated ~~11-5-60~~ 26.7-60

I am desired to invite your reference to this office letters cited above and to request you ~~kindly~~ to ~~obtain the action taken~~ forward the report called for here in immediate for taking further action.

Report of action taken on this ~~office~~ letter of even no. dated 11-5- may also be expedited for information of Govt.

Yours

Dy. Commissioner, Mysore Dt. Mysore

Copy to the Director, ~~Statistics~~ Statistics & Technical Audit -

C.J.VENKATESA DAS,B.E.,
Deputy Secretary to Government,
Public Works Department(Irrn.)

D.O.No.PWD 14 GIG 60.

Mysore Government Secretariat,

Vidhana Soudha,

Bangalore,dated September;6

Irrn

Dear Sir,

Sub:-Booking of Water Rate and Contribution demands.

Ref:-This office letter of even number,dated 26-7-1960.

I am desired to invite your reference to this office letter cited above and to request you to forward the report called for therein immediately for taking further action.

Report of action taken on this office letter of even number,dated 11-5-1960 may also be expedited for information of Government.

Yours sincerely,
Sd/-

Shri H Vasudeva Rao, I.A.S.
Divisional Commissioner,
Mysore Division,
Mysore:

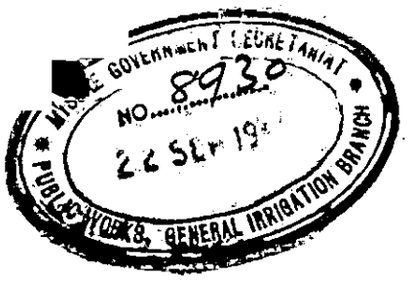
No.PWD 14 GIG 60. Bangalore,dated 9th Sept.1960.

Copy forwarded to the ~~District~~ Director,Anti-Corruption & Technical Audit(PWD). Orders of Government regarding decision of water rates in V.C.Area will be issued shortly after receipt of report from the Divisional Commissioner, Mysore Division.

O/c —Go— 55

Deputy Secretary to Government,
Public Works Deptt.(Irrn.)

ncj/d.8960.



Government of Mysore

Office of the
Divisional Commissioner,
Gulbarga.

No:342/2227/Rev-Misc/60-61 Dt. 17-9-60

To

All the Deputy Commissioner's
Gulbarga Division.

Sub:- Booking of irrigation contribution and water rate in the state.

Ref:- Government in P.W.D. letter No: P.W.D 14 GIG 60 August 1960.

Sir,

I am directed to state that the Team appointed for booking of irrigation contribution and water rate dues in the State, the Government in P.W.D. Dept. desires that in pursuing the booking of contribution and water rate in the district should be entrusted to the Revenue Auditors attached to the Divisional Kacheri offices and that they may work under the guidance of the Special Asst. Commissioner, so as to enable the team to take-up the work of verification and collection of data properly.

As per the suggestion of

You are, therefore, requested to adhere to the above procedure. The Revenue Auditors of this Division being directed to take up the work.

Yours faithfully

Sd/-
for Divisional Commissioner,
Gulbarga.

BP 15/9

1. Copy to the Revenue Auditors Gulbarga, Raichur and Bidar for compliance.

2. Copy to the Secretary to Government P.W.D. Bangalore with reference to his office letter No. PWD 14 GIG 60 dated 31-8-1960 for information, with a request to ask the Spl. Asst. Commissioner of the Team, to submit a detailed programme of work to be entrusted to the Revenue Auditors of this division and also guide them in this regard.

for Divisional Commissioner
Gulbarga.

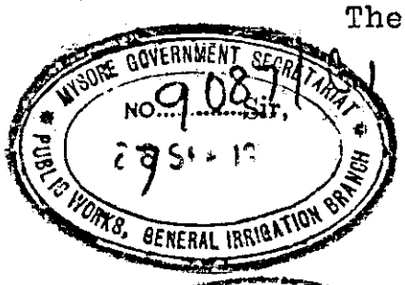
GOVERNMENT OF MYSORE

Tele gram / phone

OFFICE OF
Office of the Director,
Anti-Corruption &
Technical Audit ( ) Bangalore-1.

No. IWC.3/1512/59-60
Encls:- Two

Date 23rd September 1960



The Secretary to Govt. of Mysore,
Public Works Department,
Vidhana Soudha, Bangalore-1.

Sir,

Sub:- Verification of Irrigation Contribution and Water Rate Demands.

Ref:- Your letter No. PWD 14 GIG 60 dated 4-6-1960.
ii) This office letter of even number dated 8.6.6
iii) This office letter of even number dated 16.6.

In continuation of the reference adverted to as (iii above, I write to forward herewith copies of the letter and enclosures thereto received from the Deputy Commissioner, Mandya District except Government Order No. C.93-120/KSS 570-5 dated 9.6.1931 copy of which has already been sent. Early ord on the question of booking additional water rate on commercial crops as per G.O.No. PWA 934-41 Irn.10-56-1 dated 11-5-1956 may kindly be obtained and communicated for taking further action.

Yours faithfully,

(D.S.Raghavendrachar)
Deputy Director.

22/9

Letter No. A9.722/55-56 dated 15th January 1957 from the Deputy Commissioner, Mandya District, Mandya to the Divisional Commissioner, Mysore Division, Mysore.

Subject:- Rationalisation of scales of water rate and contribution in respect of irrigation works in Mysore State.

Reference:- G.O.No. PWA 934-41 Irri. 10-56-1 dated 11-5-56 re-enhancement of water rate.

With reference to letter number C5.PR.1/56-57 dated 2nd July 1 from the Revenue Commissioner in Mysore to the Chief Engineer of Mysor Bangalore and copied to me to furnish my views on the subject mentione above, I write to state as follow -

At the time of supplying water to the lands commanded by Krishnarajasagara, Government have agreed to levy a fixed contribution varying from Rs.100/- to Rs.150/- in the case of 'A' atchkat lands and at Rs.60/- in the case of 'B' and Rs.80/- to Rs.120/- per acre in the 'C' atchkat lands and the ryots have executed mutchalikas agreeing to pay these rates and water also has been made available to their lands. Hence the question of revision and enhancement of the contribution already fixed does not arise now.

As regards the revision of water rate, the agreement entered into with the ryots at the time of supplying water is as per mutchalik executed by them to the effect that the water rate now fixed is subjec to revision on the expiry of a period of six years in the first instan and thereafter, after the expiry of a period of not less than 10 years provided the water rate proposed to be revised after the expiration of the period of first six years shall not exceed 25% of the water rate now fixed. It is ~~xxx~~ to be noted in this connection that as the mutchalikas have been executed by different ryots at different times the date of the first revision of the water rate would vary from ryot to ryot according to the date of agreement. The first revision itself has not yet taken place so far and any revision in water rate that may be effected now cannot be in excess of Rs.12-8-0 i.e. 25% excess of the existing water rate. This revision can be enforced against those only whose lands were supplied with water six years prior to the date of revision and the levy of revised rates in other cases will have to be deferred till the expiry of the period of six years from the date of mutchalika. Furture revision can be effected only after the expiration of a period of not less than ten years after the first revision takes place.

In view of this agreement regarding water rate and its mode of revision and the legal implications involved the question of enhancement of water rate as indicated in the G.O. number DWA 934-41 Irri. 10-56-1 dated 11-5-1956 has to be considered.

"Copy"

Sd/-
for Deputy Commissioner,
Mandya District.

"Copy"

for Director, 22/9/60.
Anti-Corruption & Technical Audit (PWD)

Letter No. C5-PR.1/56-57 dated 2-7-1956 from the Revenue Commissioner, Bangalore to the Chief Engineer of Mysore.

Subject:- Planting programme for Visveswaraya Canal Area.

I invite reference to the last Paragraph of Government order No. PWA 2173-79/KRS 6-56-3 dated the 25th June 1956 and request you kindly to furnish early your views and proposals for rationalisation of water-rate in the Visvesvaraya Canal Area.

Copy is forwarded to the Deputy Commissioners of Mandya and Mysore Districts for information. They are requested to furnish their views also with regard to the question of rationalisation of water-rate in the Visveswaraya Canal Area. Copy of the Government order referred to above has been sent to them directly.

"Copy"

Sd/-
for Deputy Commissioner,
Mandya District.

"copy"

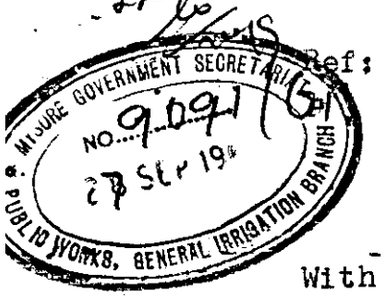
GOVERNMENT OF MYSORE

OFFICE OF

the Divisional Commissioner,
Mysore Division, Mysore.

Date 19th Septr. 1960.

The Secretary to Govt. of Mysore,
P.W.D. and Electricity Department,
Bangalore.



Sub: Booking of irrigation contribution and water rate demand in the State.

Ref: Your letter No. PWD. 14.GIG.60 dated the 31st August, 1960.

With regard to the booking of irrigation contribution and water rate demand, the village accounts have got to be scrutinised from the year of water supply for irrigation with reference to irrigable list furnished by the Public Works Department and marshymedue and village reserve lists subsequently prepared on the orders of the competent authority. The pahanies of the relevant years have also to be verified with reference to the certified irrigable list to trace the unauthorised irrigation as well as cultivation. The remissio so far sanctioned in respect of contribution and water rate h also to be scrutinised regarding its validity with reference Jamabandi accounts. The above procedure requires the service of a whole time staff consisting of a Special Deputy Tahsilda One First Division Clerk and two II Division Clerks, Two Reve Surveyors - 4 Special Revenue Inspectors and 6 peons. The duties of the special staff is to arrive at the correct deman from the year of opening the channel for irrigation to date and to fix up correct demand year by year getting duly prepar the following village accounts in respectof each village.

1) Irrigable List:- This register should serve as Index of la consisting of all survey numbers included under the certified irrigable list since the year of opening the channel for irri

irrigation entering not more than two survey number or sub numbers in each page. This register should show the survey details of the S.No. or sub No. the extent brought under irrigable list, name of the channel, the area deducted subsequently on the orders of the competent authority for Marshy medu or village reserve, not area allowed for - irrigation, the total contribution due, total contributions recorded or remitted, order No. and date of inclusion of the S No.into the irrigable list, order No. and date of removing the survey number or sub number from the irrigable list. Initials of the Head of the Office.

II. Register of Medu, Marshy or village reserve list:-

This register akin to form No.2 of village account Banjar Taktha. This register should set forth the survey of each survey number and Sub Number the extent transferre medu, marshy and village reserve and order number and date competent authority.

III. Special Pahani:- A Speaial Pahani should be got written up for each village in respect of all survey numbers under irriga whether authorised or un uthorised inclusive of all survey num brought under irrigable list. The Pahani should show clear de of the extent irrigated and the extent allowed for irrigation as per irrigable list in addition to the details of form No.3 of the village accounts. All the survey numbers brought unde irrigation should be inspected by the special executive staff recording clear certificate under a mahazar at the end of the in presence of the atchkatdars.

IV. Demand List:- on the basis of special pahani correct - demand list has to be prepared village wise duly scrutinised and certified by the special Deputy Tahsildar on which the Huzur Jamabandy officer should fix up the Jamabandi for the year. These accounts should be invariably completed before the end of December each year.

V.Khate:- On the basis of demand list khate should be written up.

VI.Rent Roll:- Rent Roll should be prepared on the above accoun

VII.Jamabandi Kammi Jasti:- on the basis of the above accounts plus and minus mmmo statement should be prepared.

VIII.Channel Takrar Taktha:- On the details of pahani, T.Ts. sh be got put up on unauthorised cultivation and use of water - during pahani inppection and disposed off before demand lists are prepared.

IX. Abstract of accounts or "Ghoswhara: An abstract of accounts may be written up akin to form No.9 of Village accounts to faci tate the Jamabandi Officer for check and verification.

X.Khirdi:- 'Khirdi' akin to form No.10 of the village accounts should be opened to record the recoverries with the Try.Certifi

With the adoption of the series of accounts above narra it will not only facilitate correct accounting but also put an leakages of revenue which are believed to be considerable. As this cannot be undertaken by the Revenue Auditors in addition to the normal duties, I recommend for consideration the employing a special staff of the strength detailed above, exclusively for ing and fixing the demand, under channel area in the State. In of heavy Taluks like Mandya, Maddur, Malavalli, I suggest the services of Special Tahsildars instead of a Deputy Tahsildar.

I request you to kindly move the Government for accordi sanction of the following special staff for each taluk for a p of two years in the first instances.

1. Special Tahsildar.	1 for Mandya, Maddur & Malavalli Tk
2. I Division Clerks.	1 & Deputy Tahsildars for the other
3. II Division Clerks.	2 Taluks.
4. Special Rev.Inspectors.	4
5. Surveyors.	2
6. Peons.	8

I expect that the expenditure incurred by the employme of the special staff will be more than compensated by increase in and recovery of unbooked dues.

In any case this should be tried at least for one year. One great handicap is the want of books and registers and forms, a sum of Rs.2000/- may be sanctioned to get these printed locally.

Yours faithfully,

(M.K. Kamoji),
For Divisional Commissioner
Mysore Division.

D.C.

MYSORE GOVERNMENT

SECRETARIAT.

(Continuation sheet draft form).

Issued In No. PWD
dd. 31.1.61

Board of ~~Irrigation~~ Water Rate in the V.C. area on Cauvery

Sir,

On the subject mentioned in the margin

Sir,

Ref: T.O. letter of even no. dated 17-5-60

I am directed to request you to intimate immediately whether the Krishnarajasagara ~~was notified~~ under Section of the ~~Mysore Irrigation~~ said Act, 1932.

A copy of notification, if available, may ~~also be~~ forwarded to Govt. for ~~information~~ ~~and for taking necessary action~~ reference.

The Mysore Irrigation Act (Act No. 1 of 1932) was applied to

Copy to the D.C., Mandya for immediate needful action.

Copy to the Director, Water Resources, Bangalore for information

27

GOVERNMENT OF MYSORE

No PWD 14 GIG 60.

MYSORE GOVERNMENT SECRETARIAT
VIDHANA SOUDHA,
Dated, Bangalore, 31st Jan. *196* 1
Magha , Saka Era 1882.

FROM

The *Secretary to the Government of Mysore,*
Public Works Department,
Bangalore.

To

The Executive Engineer,
Visweswaraya Canal Division,
Mandya.

Sir,

Subject: Levy of Water Rate in the V.C. ~~over~~ area on Sugar Cane.

Reference: This Office letter ~~N~~ of even No. dated 11-5-1960.

I am directed to request you to intimate immediately whether the Mysore Irrigation Act (Act. No.1 of 1932) was applied to the Krishnar Nagar area under section 2 of the said Act.

A copy of notification, if available, may please be forwarded to Government for reference.

Yours faithfully,

Sd/-

(C.J.Venkatesa Das)
Deputy Secretary to Government,
Public Works Dept. (Irrigation).

cvs.

Copy to the Deputy Commissioner, Mandya for immediate needful actic

Copy to the Director, Anti Corruption & Technical Audit for inform tion and needful.

C. J. Venkatesa Das 30.1.6

(C. J. Venkatesa Das)
Deputy Secretary to Government,
Public Works Dept. (Irrigation).

COMMISSIONER, Bangalore Division, Bangalore.

No. IRR.PR.338/60-61.

Dated 12th Octr.1960.

To

The Secretary to Government,
Public Works and Electricity Department,
Bangalore.

Sir,

Sub:- Booking of Irrigation contribution and Water rate demand in the State.

With reference to your letter No.PWD 14 GIG 60 dated 31-8-60 c the above subject directing that the work of pursuing the booking of contribution and water rate in the Districts should be entrusted to the Revenue Auditors attached to the Divisional Offices and that the may work under the guidance of the Special Assistant Commissioners e I write to state that the Revenue Auditors attached to this office have been entrusted with the work of detailed verification of the demands under various heads of Revenue by minute examination of the several Darkhast, T.T. and Demand Registers maintained in the Taluk Offices as also of checking the loan accounts with a view to verify the calculation of interests and proper fixation of annuities etc. In addition to the above, they are expected to verify the booking of demands under 22 'E' charges and 30 (b) loans in respect of minor an major tanks. They are also required to examine in general, how far work in the Taluk Office is being carried on in a systematic and meth lical way for which they will have to look into the Interim Inspecti notes and dafter check registers of the Local Officers. Their main business is to detect leakage of Revenue to Government in all branch of the office. All this involves considerable time and labour. The auditors have thus enough of work and it is not ~~the~~ desirable to burd them with the work now suggested.

2. Hence this additional work of watching the booking of contr ution and water rate, cannot be entrusted to the Revenue Auditors wh ands are already full of work. In order to implement the suggestion ade by the team appointed for booking of Irrigation contribution and

and water rate, I would suggest that an additional auditor may be appointed solely for this work in each Division. The orders of Government may be obtained in this behalf.

Yours faithfully,
Sd.

For Divisional Commission
Bangalore Division.

Draft approved by the
Divisional Commissioner.

Copy to the Secretary to Govt., Revenue Department, Bangal
for information.

For Divisional Commissioner.

The PWD's ≠ main file received here is also placed below. ~~It~~ ~~It may perhaps be~~ a letter may be transferred to P.W.D as the proposals made herein are being considered by PWD 15/1/60 15/1/60

P.W.D.)

30

OF THE DIVISIONAL
COMMISSIONER, Bangalore
Division, Bangalore.

No. IRR.PR.338/60-61.

ed 12th Octr. 1960.

To

The Secretary to Government,
Public Works and Electricity Department,
Bangalore.

MYSORE GOVERNMENT SECRET TAPPAL SECT 13 OCT 1960 PUBLIC WORKS

Sir,

Sub:- Booking of Irrigation contribution and Water rate demand in the State.

With reference to your letter No.PWD 14 GIG 60 dated 31-8-60 c the above subject directing that the work of pursuing the booking of contribution and water rate in the Districts should be entrusted to the Revenue Auditors attached to the Divisional Offices and that the may work under the guidance of the Special Assistant Commissioners e I write to state that the Revenue Auditors attached to this office have been entrusted with the work of detailed verification of the demands under various heads of Revenue by minute examination of the several Darkhast, T.T. and Demand Registers maintained in the Taluk Offices as also of checking the loan accounts with a view to verify the calculation of interests and proper fixation of annuities etc. In addition to the above, they are expected to verify the booking of demands under 22 'E' charges and 30 (b) loans in respect of minor an major tanks. They are also required to examine in general, how far work in the Taluk Office is being carried on in a systematic and meth way for which they will have to look into the Interim Inspecti books and dafter check registers of the Local Officers. Their main business is to detect leakage of Revenue to Government in all branche of the office. All this involves considerable time and labour. The Auditors have thus enough of work and it is not desirable to burd them with the work now suggested.

MYSORE GOVERNMENT SECRETARIAT NO. PUBLIC WORKS, GENERAL IRRIGATION BRANCH

2. Hence this additional work of watching the booking of contr bution and water rate, cannot be entrusted to the Revenue Auditors wh hands are already full of work. In order to implement the suggestion made by the team appointed for booking of Irrigation contribution and

and water rates, I would suggest that an additional auditor may be appointed solely for this work in each Division. The orders of Government may be obtained in this behalf.

Yours faithfully,

For Divisional Commissioner,
Bangalore Division.

Draft approved by the
Divisional Commissioner.

Below Executive Engineer, Belgaum Divn's letter No. CB/MI6 dated 3-10-1960, regarding Maintenance of records of Divns. and Sub-Divns. Offices.

Office of the
Superintending Engineer, B.C.,
Belgaum: 14 OCT 1960

Submitted to the Secretary to Government, P.W.D:, Bangalore for favour of further disposal with reference to Government Circular No.PWD 14 GIG 60 dt. 12/15-2-1960 and subsequent Circular dt. 4-10-1960. The information regardi data relating Water Rate and contribution etc. called for i Director, Efficiency Audit and Anti-corruption Bangalore's l No.I.W. C4/1950/59-60 dt. 13-1-1960, has been furnished und No.CB/MI.1 dated 4-2-1960, but it has been observed that th information is not upto date. The Ex.Engr. is instructed to submit correct and upto-date information.

2. As for the Sub-Divl.Records, the undersigned does no agree that a Daftary is necessary for the Sub-Divl.Office a the Ex.Engr. is instructed to direct the Assistant Engineer maintain the records properly with the existing staff and s that this is done.

MYSORE GOVERNMENT SECRETARIAT
NO. 9813
1960

(L.T.Aminbhavi)
Superintending Engineer, B.C.

13/11/60

Office of the
Executive Engineer, P.W.D. Belgaum
Belgaum:

To

The Secretary to Govt. of Mysore,
Public Works & Electricity Departmen
BANGALORE

Subject:- Maintenance of Records in the Division & Sub-Dn. offices.

Reference:- Your letter No. PWD-53 GIG/60 dated 8-8-1960.

Sir,

2 With reference to Government Circular No PWD 53 GIG-60 dated 12/15-2-1960, I have to state as under:-

3. As regards Divisional office I have to state that the irrigation record has been kept u to-date along with the other records as far as this Division is concerned.

4. As regards Sub-Divisional office, under Belgaum Division, I have to state that according to the above circular all the Assistant Engineer were requested to maintain their office records up to-date. But they have reported that it would not be possible for them to keep the records up-to-date with the present staff as the work of Sub-Division has increased due to biferfication accounts and correspondence branches. They all have requested this office to create the post of Daftary(Record Keeper) to each Sub-Division for keeping the office records up-to-date & I agree with them. It is, therefore, requested to sancti a post of Daftary to each Sub-Division for keepi the office records up-to-date at a very early da

Yours faithfully,

11/10/60.

(L.A.Koshti.)
Executive Engineer,
Belgaum Division.

G.B.K.1-10.

11/10

Submitted through the Superintending Engineer, Belgaum Circle, Belgaum in continuation this office letter No.even dated 31-3-60 for fa of information.

2. The Govt. may kindly be ~~re~~moved to sancti post of Daftary (Record Keeper) to each Sub-Divis for keeping the Sub-Divisional office records up to-date at an early date.

Advance copy submitted to the Secretary Government, Public Works & Electricity Department Mysore, Bangalore for favour of information.

GOVERNMENT OF MYSORE

Telegram / phone

OFFICE OF Director, Anti-Corruption & Technical Audit (P.W.D.), Bangalore-

No. IWC.3/1512/59-60
Encls.

Date 21st. October. 1960

To

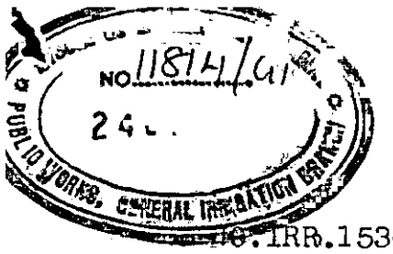
The Secretary to Govt. of Mysore,.....
Public Works & Electricity Department,
"Vidhana Soudha",. Bangalore-1.....

Sir,

Sub:- Booking of irrigation contribution and water rate demand in the State.

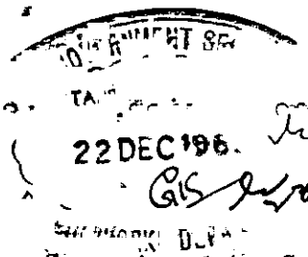
Ref:- (i) This office letter No. IWC.1512/59-60 dated 1-3-1960.
(ii) This office letter No. IWC.3/1512/59-60 dated 15-9-1960.
(iii) Government Letter No. PWD 14 GIG 60 dated 31-8-1960.
and (iv) Letter No.IRR.5804/60-61 dated 19-9-60 from the Divisional Commissioner, Mysore to Secretary to Govt. P.W.D. copied to this office.

With reference to the letter of the Divisional Commissioner, Mysore adverted to as (iv) above on the subject in question, I write to invite reference to references cited as (i) and (ii) above and Government letter cited as (iii) above. The intention with which the suggestion to entrust the booking of the demands, as per the statements furnished by this office, to the Revenue Auditors attached to the Divisions was that the should verify whether the demands so intimated have been prope brought on to the ledgers of the various taluk offices concern What the Divisional Commissioner, Mysore, has stated in his letter now under advertance, is only what should be done after the demands are brought on the ledgers of the Taluk Offices. More over the intention was not that the Revenue Auditors work under the Special Assistant Commissioner of the Special Team for verification and booking of Irrigation Contribution and Water Rate demands, but that they should contact him for being briefed on the subject and take up the



GOVERNMENT OF MYSORE.

No.IRR.1530/60-61. Office of the Divisional Commissioner,
Mysore Division,
Mysore, dated 13th December 1960.



LD-665/60-61
Paper
This sent Returned To PWD.

The Secretary to Government of Mysore,
Planning & Development Department,
Vidhana Soudha, Bangalore-1.

Sir,

Sub:- Booking of water-rate and contribution Demand - Srirangapatna and Pandavapura Taluk.

Ref:- Your letters No.PWD.14.GIG.60 dated - 11.5.1960 and 26.7.1960.

814/GIG60
25/10/60 GRD
Done

With reference to the above, I write to state that letter dated 11.5.1960 has been sent to the Deputy Commi Mandya, along withthe Demand Statements on 28.6.1960, wi request to arrange for the booking of the demand. The re of the action taken by him is awaited and he has been minded also.

As regards, the remarks called for on the referenc the Special Assistant Commissioner, Efficiency Audit & A corruption, I write to state that, the copy of the Gover order dated 11.5.1960 is not available in this office. T the report indicates that, the difference between the r specified in Government order dated 11.5.1956 and the cu rates has to be recovered and the legal difficulty plead not tenable for the reasons contained in the special Ass Commissioner's report itself. The Deputy Commissioner ha already been asked to arrange for the booking demand due difference and no remarks appear to be necessary at this

p.t.o.

The report of the Special Assistant Commissioner, Efficiency Audit & Anticorruption, be acted upon.

Yours faithfully,

(M.K.Kamoji),
For Divisional Commissioner,
Mysore Division.

Approved by the Divisional Commissioner.

Rad 14 G1G60 (Supplemental) 38

C. F. No. 45]

GOVERNMENT OF MYSORE

Tele gram / phone

OFFICE OF
Office of the Director,
Anti-Corruption &
Technical Audit (P.W.D.), Bangalore-1.

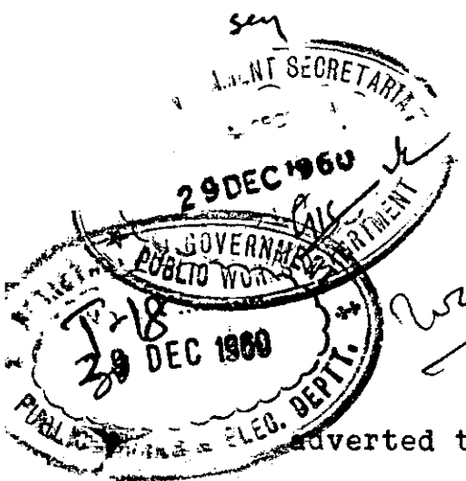
No. IWC 3/1512/59-60
Encls.

Date 28/29 December 1960

To

The Secretary to Government,
Public Works Department,
BANGALORE.

Sir,



Sub: Booking of water rate and contribution Demand.

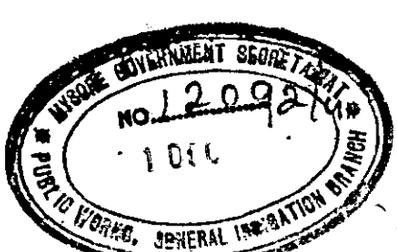
Ref: i) DO letter No.IWC.1512/15-60 dt. 29-2-60
ii) DO letter No.IWC.3/1512/59-60 dt. 9-4-60
iii) Letter No. IWC 3/1512/59-60 dt. 15-9-60

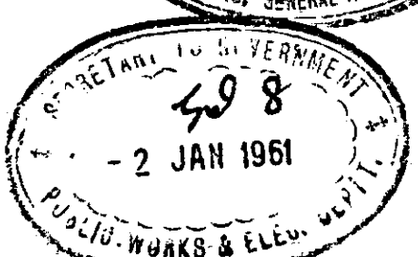
I write to invite reference to the letters adverted to above on the above subject and to state that orders of Government have not yet been received on the recommendation made, that the Revenue Auditors attached the Divisional Commissioners should be entrusted with th work of checking the booking of water rate and contribut Demand under the guidance of the Special Assistant Commi

As orders of Government are still awaited, I request you to kindly obtain the same very early and sen the same to this office.

Yours faithfully,

FOR DIRECTOR
ANTICORRUPTION & TECHNICAL AUDIT (





(Pwd 14 G1G60)
The file on the subject referred to the R.D. for on 13.10.60 for remarks has not been received It appears that the file has been referred to the for remarks. The R.D. have been expedited of the file urgently, if it has been received L.D.

an interim reply stating that the subject is under consideration in consultation with the R. O. and the I. O. Ab. Hl. pursue the case vigorously.

PWD 14 GIG 60 (Supplemental) 38

GOVERNMENT OF MYSORE

Tele gram / phone

OFFICE OF
Office of the Director,
Anti-Corr ption &
Technical Audit (P.W.D.), Bangalore-1.

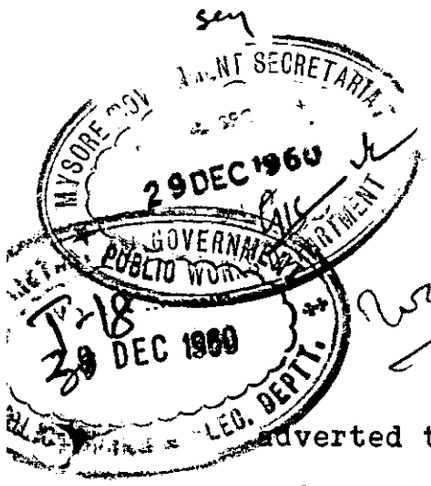
No. IWC 3/1512/59-60
Encls.

Date 28/29 December 1960

To

The Secretary to Government,.....
Public Works Department,
.....BANGALORE.....

Sir,



Sub: Booking of water rate and contribution Demand
.....

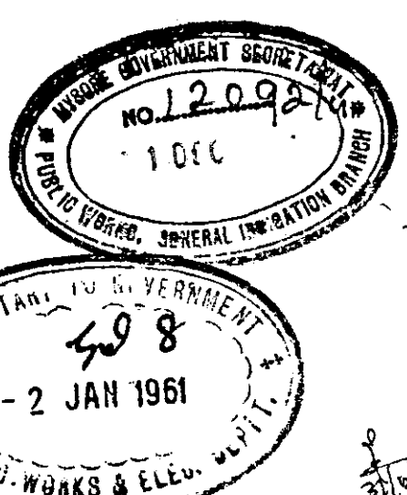
Ref: i) DO letter No.IWC.1512/15-60 dt. 29-2-60
ii) DO letter No.IWC.3/1512/59-60 dt. 9-4-60
iii) Letter No. IWC 3/1512/59-60 dt. 15-9-60
....

I write to invite reference to the letters adverted to above on the above subject and to state that orders of Government have not yet been received on the recommendation made, that the Revenue Auditors attached to the Divisional Commissioners should be entrusted with the work of checking the booking of water rate and contribution Demand under the guidance of the Special Assistant Commissione

As orders of Government are still awaited, I request you to kindly obtain the same very early and send the same to this office.

Yours faithfully,

FOR DIRECTOR
ANTICORRUPTION & TECHNICAL AUDIT (PWD).



Booking of water Rate and Contribution demand

To,

The Director,
Int'l Computer & Technical Institute
Bangalore

Sub:

Ref:- Your letter no. IWC 3/1512/69-t
dated 28/29.12.60

With reference to the above I am directed to state that the Subject is under examination in consultation with the R.D and F.C. Orders of Government will be communicated to you shortly.

Yours

for

Dy. Secy to Govt
Bangalore

Kindly urgent

Today to the R.D. via a request kindly to return this Secret file of even no dated sent to them unofficially on 23.12.60 for remarks urgently for taking necessary action.

DRAFT FOR APPROVAL

To

The Divisional Commissioners,
) Bangalore &) Mysore Dns.

Sir,

Subject:- Booking of irrigation contribution and water rate demand in the State
--

Reference:(For 1 above) Your letter No.IRR.PR 338/60-61 dated 12-10-1960

(For 2 above) Your letter No.IRR.580 60-61 dated 19-9-60

With reference to the above I am directed to state that the intention with which the suggestion to entrust the booking of the demands as per the statements furnished by the Director, Anti-corruption and Technical Audit to the Revenue Auditors attached to the divisions was, that they should verify whether the demands so intimated have been properly brought on to the ledgers of the various taluk offices concerned. The Revenue Auditors need not work under the Special Assistant Commissioner attached to the team but they should contact him for being ~~briefed~~ briefed on the subject, to take up the work as part of their regular duties and to submit their reports regarding completion of the booking of the demands to the concerned Deputy Commissioner. The Divisional Commissioners will in turn intimate ~~the action taken~~ to the Director, Anti Corruption & Technical Audit. ~~No action taken~~.

The question of sanctioning special staff for the purpose is therefore considered unnecessary.

Instructions may please be issued to the concern accordingly.

Yours faithfully,

Dy. Secy. to Govt. P.W.D.

Copy to Dl. Commrs. Belgaum and Gulbarga for information.

Copy to Director, Anti-Corruption & Technical Audit.

The Divisional Commissioners,
Bangalore & Mysore Dns.

Sir,

Sub: Booking of irrigation contribution and water rate demand in the State.

Ref: (For 1 above) Your letter No.IRR.PR 338/60 dated 12-10-1960.
(For 2 above) Your letter No.IRR.5804/60-6 Dt. 19-9-60.

With reference to the above, I am directed to st hat the intention with which the suggestion to entrust he booking of the demands as per the statements furnished y the Director, Anti-corruption and Technical Audit to he Revenue Auditors attached to the divisions was, that hey should verify whether the demands so intimated have den properly brought on to the ledgers of the various aluk offices concerned. The Revenue Auditors need not ork under the Special Assistant Commissioner attached to he team but they should contact him for being briefed the subject, to take up the work as part of their egular duties and to submit their reports regarding mpletion of the booking of the demands to the concerned puty Commissioner. The Divisional Commissioners will turn intimate to the Director Anti Corruption & Technic action taken.

Question of sanctioning special staff for n therefore considered unnecessary.

tructions may please be issued to the concerne

Yours faithfully,

Sd/-
(C.J.Venkatesa Das)
Deputy Secretary to Government,
Public Works Department(I).

OFFICE OF THE EXECUTIVE ENGINEI
VISVESWARAYA CANAL DIVISION,

To

MANDYA, *Dated* 1-4-2

The Secretary to Government,
Public Works Department,
'Vidhana Soudha'
Bangalore.

Sir,

Sub: Levy of water rate in the V.C. over on Sugar Cane.

Ref: Your letter No. P.W.D. 14 GIG 60 dated 31-1-61.

I write to state that your letter No. PWD 14 GIG 60 dated 11-5-60 is not received in this office as verified from the Registers. Hence, a copy of this letter may kindly be caused to be sent to this office for taking further action in the matter.

Yours faithfully,

M. Basavaraj Urs 11.2.

(M.Basavaraj Urs),
Executive Engineer,
Visveswaraya Canal Division.

KRS.11

MYSORE GOVERNMENT SECRETARIAT
NO. 1524
1 FEB
PUBLIC WORKS, GENERAL IRRIGATION BRANCH

The file on the subject may be submitted to the Secretary. After this will be put up on receipt of the file.

No.A9:PR343/60.61

Office of the Deputy Commissioner
Mandya District
Mandya, dated 6.2.1961.

To

The Executive Engineer
V.C.Division, Mandya

Sir,

Sub:Levy of water rate in the VC Area on Sugarcane

Ref:Letter No.PWD 14 GIG.60 dt.3.1.61 of the PWD Secre addressed to you and copied to this office.

In inviting your reference to the above I request you to kindly intimate the P.W.D.Secretary whether Mysore Irrigation Act.(Act.No.1 of 1932) was applied to K.R.Sagar area under sect 2 of the said Act. A copy of notification if available in your office, may also be sent to the P.W.D.Secretary under intimation to this office. The matter may be treated as urgent.

Yours faithfully,

sd.P.A.Roach

For Deputy Commissioner
Mandya District

Copy forwarded to the Secretary to Government of Myso: P.W.D.Bangalore for kind information.

copy forwarded to the Executive Engineer, K.R.Sagar Dn.

1657/1961

K.R.Sagar with a request to furnish the above information to the P.W.D. Secretary along with a copy of notification if available in his office.

For Deputy Commissioner
Mandya District

Submitted ... for kyE section
referred to kyE

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT

Copy of order vide in P.C. dtd on Longer cause

To,

The E.E;
Visveswaraya Canal Dn
Mandya

Sir,

Sub:- Your letter no. PO/NR/294 dated 14.2.61

With reference to the above I am directed to forward herewith a copy of this office letter of even no. dated the 11.5.60 addressed to the Divisional Commissioner, Mysore Dn on the subject, as desired.

Yours faithfully

for Secy to Govt
PWD
24/3/61

PWD 14 GIG 60.

3rd April, 61

Public Works & Electricity Department.

The Executive Engineer,
Visveswaraya Canal Division,
MANDYA.

Sub: Levy of water rate in V.C. Area on Sugar Cane.

Ref: Your letter No.PO/NR/294 dated 14.2.61

With reference to the above, I am directed to forward herewith as desired a copy of this office letter of even number dated 11.5.1960 addressed to the Divisional Commissioner, Mysore Division on the subject.

Yours faithfully,

(C.J.Venkatesa Das) 61
Deputy Secretary to Government
Public Works Department(Irrn)

Copy of letter dated 11.5.1960 addressed to the Divisional Commissioner, Mysore Division, Mysore.

I am directed to state that the team of officers appointed for verification of booking of irrigation contribution and water rate demand in the State, has after going through the records in respect of - Srirangapatna Taluk and Pandavapur Taluka in Mandya District, reported that contribution and water rate as shown in the margin remains to be booked. I am to request you to direc the concerned Deputy Commissioners to tak up the question of booking of demand in diately and forward report of action taken for informa ion of Government.

Srirangapatna Taluk	
Contribution	Rs. 1,32,622-73
Water Rate	21,279-03
Pandavapur Taluk	
Contribution	Rs. 1,35,390-50
Water Rate	40,929-69

Copies of statements showing the contribution an water rate that has to be booked in these two taluks may be obtained from the Director, Efficiency Audit and Anti Corruption Department.

==

Copy to the Deputy Commissioner, Mandya District for immediate necessary action.

Copy to the Director, Efficiency Audit and Anti Corruption Department for information and needful acti The question of booking of demand in the District may be taken up with the concerned Deputy Commissioners an report forwarded to the Govt. Orders with regard to other issues raised in his report will be obtained and communicated shortly.

139

ffice o. t.e Executive Engin r,
Visv sr.. ' - J. l Di ision,

M ud a, dat d: 15/4/61

he ecretary o overnment,
Public orks epartment,
Bn,alore.

Sir,

ub: Levy of wat r rate in V.. Area on u_ r ane

ith reference to our letter o. PWD 14 GIG 60 date 3/5-4-61 regardin the above, I rite to state that this office has no inform tion as to whether he Mysore Irrigation Act was applied to the rishnarajasagar Area.

Also, notific tion regarding the a ove is not av il ble in this office.

For kind inform tion.

Yours faithfully,

M. Basavaraj Urs

(M.Basav aj Urs), 14.4
Executive Engin r,
Visveswaraya anal Division.

GOVT. GOVERNMENT SECRETARIAT
TAPPAL SECTION
ERS. 13 17 APR 1961
PUBLIC WORKS DEPARTMENT

14/4

MYSORE GOVT. SECRETARIAT
No 3628
18 APR 1961
P. W. D.

91 /

Office of the Executive Engineer,
Visveswaraya Canal Division,

. PO/WR 714

Mandya, dated: 24/3

To

The Secretary to Government,
Public Works Department,
BANGALORE.

GOVERNMENT SECRETARIAT
27 MAR 1961
PUBLIC WORKS

MYSORE GOVT. SECRETARIAT
NO. 3080
28 MAR
PUBLIC WORKS MAJOR IRRIGATION

Sir,

Sub: Levy of water rate in the V.C. Area on Sugar Cane.

I invite your kind reference to this office letter No. PO/WR/294 dated 14-2-61 regarding the above and request you to transmit a copy of your letter No. PWD 14 GIG 60 dated 11-5-60 as the same was not received in this office.

Early compliance is requested for taking further action in the matter.

Yours faithfully,

M. Basavaraj Urs

(M.Basavaraj Urs), 23.3.
Executive Engineer,
Visveswaraya Canal Division.

G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(*Continuation sheet draft form*).

levy of water rate in the Visvesvaraya Canal Dn area on sugar cane

Ref, Dte Ltr(9)

Sir,

I am directed to forward herewith a copy of this office letter of even no. dated 31-1-61 addressed to E.E., Visvesvaraya Canal Dn ~~etc~~ and a copy of his reply letter no. Po/WR 13 dated 15-4-61 there ~~to~~ on the subject and to request you kindly to furnish the particulars required, urgently for taking further action.

Immediate action is requested

Yours
&
Dy. Secy to Govt
RD

No.26/KRS/MMI/ 1766

To

The Secretary to the Government of
Mysore,
Public Works Department,
Bangalore.

MYSORE GOVERNMENT SECRETARIAT
NO. 4807
18 MAY 1961
PUBLIC WORKS MAJOR IRRIGATION BRANCH

MYSORE GOVERNMENT SECRETARIAT
TAPPAL SECTION
17 MAY 1961
PUBLIC WORKS DEPARTMENT

Sir,

Sub: Levy of Water rate in the Visvesvaraya Canal Division Area on Sugar Cane.

...

With reference to your letter No.PWD 14 GIG 60 dated 27th April 1961 on the above subject addressed to the Chief Engineer (General) and copied to this office, I have to state that this of has no information as to whether the Mysore Irrigation Act (Act No.1 of 1932) was applied to K.R.Sagar Area under the Section 20 the said Act.

Notification regarding the above is also not available in this office.

This is for your kind information.

Yours faithfully,

(A.Sharanappa)
for Superintending Engineer,
Mysore Circle.

SECRETARIAT
4876
30 NOV 1961
P.W.D. (GENERAL) IRRIGATION

Appendix F. G.—1]

SUBJECT..... Levy of water rate in the Vikhroli Canal Division area on Sugar Cane.

Section

File No.

Serial No.

To Yours,

Ref:- To. letter of even dated 27.11.61

I am desired to invite your reference to this office letter cited above and to forward a request you to expedite the particulars called for there in for taking further action.

Urgent compliance is requested.

C/Sy

C.E.(G) Mysore

Encl.

C.J. Venkatesa Das, B.E.,
)eputy Secretary to Government,
Public Works Department.
..ooOoo..

Mysore Government Secretariat,
VIDHANA SOUDHA,
Bangalore, dated 6th 1961.
Jyeishta 1883.

D.O. No. PWD 14 GIG 60.

Dear Sir,

Sub: Levy of water rate in the Visvesvaraya Canal Division Area on Sugar Cane.

Ref: Your Office letter of even No. dated 27-4-1961.

I am desired to invite your reference to this Office letter cited above and to request you to expedite forwardal of the particulars called for therein for taking further action.

Office of the Chief Engineer (Genera
of Mysore, Bangalore. 52

No.IPH.93 MIS(b)/61-62. Dated 19 -6-1961.

Exec u tive gloss

The Chief Engineer,
Irrigation Projects, Munirabad.

-Sir,

Sub: Levy of water rate in the Vis
veswaraya Canal Division area
on sugar-cane.

-Ref: Govt's letter No.PWD 14 GTC 6
dated 27-4-61 and subsequent l
letter of 6-6-61.

In enclosing copies of above cited let
received from Government together with its enclo
and the reply furnished by the Superintending En
neer, Mysore Circle, with reference to Governmen
letter vide in his letter No.26/KRS/MMI. dated -
16-5-61 on the subject, I request you to take fu
action in the matter.

Yours faithfully,

Sd(B. Shadaksharaiah
for Chief Engineer, Ge

MYSORE GOVT. SECRETARIAT. 6.
No. 54710
21 JUN 1961
P. W. D. (GENERAL IRRIGATION)

This may be refer p.t.
to Major Irrigation Section.
27.6. Pl. put up file No
PWD Memo 16 IG 60.
Sri S.N. 28/6/61

Secretary to Govt, Public Works Department, Bangalore for favour of information, with reference to Mysore Circle Superintending Engineer's letter No.26/KRS/MMI. dt.16-5-61.

B. Shadaksharaiah

(B. Shadaksharaiah)
for Chief Engineer, General

19.6.61

Appendix F. G.—1]

SUBJECT Levy of water rate in Visveswaraya Canal Division Area on Sugar Cane

Section

File No.

Serial No.

No.

To

The C E (G P)

Munirabad.

Dear Sir.

I am directed to refer to letter No 9 PH. 93 MGS (b)/61 dated 19th June 1961 addressed to you by the Chief Engineer General on the above subject and to request you to furnish the particulars called for in Govt's Letter No PWD 14 GTG 60 dated 29th April 1961 urgently.

Yours faithfully

15/7/61

for Dy Secy

Sec
6.7.61.

GOVERNMENT OF MYSORE

No. PWD 14 GIG 60.

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore, 18th July ...196 1,

FROM

Ashadha , Saka Era 1883.

cretary to the Government of Mysore,
Public Works Department,
Bangalore.

To

The Chief Engineer,
Irrigation Projects, Munirabad.

Sir,

Subject: Levy of Water rate in Visveswaraya Canal Division area on Sugar Cane.

I am directed to refer to letter No. IPH 93 MIS (b)/ 61-62 dated 19th June 1961 addressed to you by the Chief - Engineer (General) on the above subject and to request you to furnish the perticulars called for in Government letter No. PWD 14 GIG 60 dated 27th April 1961.

Yours faithfully,

for Deputy Secretary to Government
P. W. D. (Irrigation).

GOVERNMENT OF MYSORE.

Office of the Chief Engineer, P.
IRRIGATION PROJECTS,
MUNIRABAD. (S. Rly.)

NO. VCA/TEC/ /TA2/61 Dated 9-8-1961.

To,

The Secretary to Govt. of Mysore,
Public Works Department,
Vidhana Soudha, BANGALORE.

MYSORE GOVERNMENT SECRETARIAT TAPPAL SECTION 23 AUG PUBLIC WORKS DEPARTMENT

Sir,

Sub: Levy of water rate in Visveswarya Division area on Sugar Cane.

Ref: Your letter No. PWD 14 GIG 60 dated 18th July, 1961.

This office has no information as to whether the Mysore irrigation Act (Act No.1 of 1932) was applied to K.R.Sagar area under the section 20 of the said Act.

MYSORE GOVT. No 7396 24 AUG 1961 P.W.D. (GENERAL BRANCH)

Yours faithfully,

for Chief Engineer,
Irrigation Projects.

Bkn/17/8.

Copy to the Chief Engineer(General), of Mysore Bangalore for information with ref. to his letter No. IPH 93 MI 8(b)61-62 dated 19-6-1961.

[Appendix F. G.—1]

SUBJECT Levy of Water Rate in Visveswa Division Area on Sugar Cane

Diary No. of letter replied to .....

Mysore Government Secretariat.

( )

the 195 .

Date of issue 23.12.61

Signed by .....

1 2 3

(6) S. [illegible] (F)

(1) C E (PP) (the No VCA/ T-E C/ dated 19-8-1961

2) S E's (Mysore circle) letter no 26/KRS/MM 9/1768 dt 16-5-61.

3) E E (Visveswaraya Canal Division) letter no PO/WR-139 dated 15-4-1961.

List of enclosures .....

Nil

Copied by .....

Examined by .....

Section

File No.

Serial No.

No. Immediate

To

(1) The C. E (G)-B, Bang

S E Mysore

E E Mysore

Sir :

I am directed to invite reference to the marginally noted communications in which you had intimated that you have no information as to whether the

the Mysore Irrigation Act 1933
applied to K.R. Sagar as a
~~2. a)~~ ..... In this Connection, I enclose
herewith a Copy of Notification No
R 428 - LR 131 - 32 - 5 dated 24th/
25th - 7 - 1933 issued by the Development
dept. I am to request you to
clarify whether you had taken the
Notification into Consideration (X)
~~before intimating to Govt that you~~
~~have no information as to whether~~
~~the Mysore Irrigation Act is~~
~~applied to K R Sagar Division~~

3. You are requested kindly
clarify the matter within a week

Yours faithfully,

Accept:- Copy of Notifn.

20/12/61

20.12.61
Deputy Secretary
Govt of

GOVERNMENT OF MYSORE

MYSORE GOVERNMENT SECRETARIAT,
"Vidhana Soudha",

No.PWD 14 CIC 60. Bangalore, dated the 23rd Dec. 1961.
S.E.1883.

From

The Secretary to the Government of Mysore,
Public Works & Electricity Department.

To

The Chief Engineer (~~General~~), ~~Bangalore.~~ I.P. Mysore
The Superintending Engineer, Mysore Circle, Mysore.
The Executive Engineer, Mysore Division, Mysore.

Sub:-Levy of Water Rate in Visveswaraya Canal Division area on Sugar Cane -

---

I am directed to invite reference to the *marginally noted communications in which you had intimated that you have no information as to whether the Mysore Irrigation Act, 1932, was applied to Krishna-

*Engineer (Irrigation Projects) letter No.VB/E.C/dated 19-8-1961.
Executive Engineer's (Mysore Circle) letter No.26/KRS/MII/1766, dated 16-5-61
Executive Engineer's (Visveswaraya Canal Dvn.) letter No.PO/WR-139, dated 15-4-1961.

2. In this connection, I enclose herewith a copy of Notification No.R.428-LR 131 - 32 - 6, dated 24/25-7-1933 issued by the Development Department. I am to request you to clarify whether you had taken this Notification into consideration before you sent the reply as stated above.

3. Section 16 of Chapter IV shall apply to all Irrigation Works under the direct control of the Public Works Department, specified under (2) above.

4. Chapter VI shall apply to all Irrigation Works in Mysore estimated to cost not less than Rs.10,000.

No. 11305
Encl.

Office of the Executive En,
Mysore Division,
Mysore-5, Dated: 12.1.62.

To

The Secretary to Govt. of Mysore,
Public Works & Electricity Dept.,
Bangalore.

Sir,

Sub:- Levy of water rate in Visvewsaraya Canal Division area on Sugar Cane.

With reference to your letter No. P.W.D. 14/GIG/60 dated 23.12.1961, on the above subject, and enclosing a copy of Notification No. R. 428-LR-131-32-5 dated 24/25.7.1933 issued by the Development Department in connection wi the above and requesting me to clarify certain point etc., I write to state that your reference along with its enclosure has been forwarded to the Executive Engineer, K.R.Sagar Division, K.R.Sagar, for needful as the question pertains to that Division.

15.1.62

Yours faithfully,

Executive Engineer,
Mysore Division, Mysore.

L. 6.1.62(2).

Copy of the above along with the original reference P.W.D. 14/GIG/60 dated 23.12.1961, and its enclosure is forwarded to the Executive Engineer, K.R.Sagar Division, K.R.Sagar, for favour of information and needful action.

you to furnish the requirements
Called for
~~particulars~~ particulars there in in

Yours faithfully,

Deputy Secretary
for Post Master

Copy of the above forwarded to the
Chief Engineer (I.P.) Kurnool and
S.E. Nyasa Circle Nyasa, for information
with a request to
and ~~forwarded~~ the report Called. for in
the your letter of even no dated 23-1
1961

65

GOVERNMENT OF MYSORE

No.PWD/ 14 CIC 60

Mysore Government Secretariat
Public Works Department,
Vidhana Soudha,
Dated, Bangalore, 29th Jan., 196
Magha 1883.

From

The Secretary to the Government of Mysore,
Public Works Department, Bangalore.

The Executive Engineer,
K.R. Sagar Division,
K. R. SAGAR.

Sir,

Sub:- Levy of Water rate in Visveswariya Canal Division area on Sugar Cane.

===

I am directed to invite your attention to letter No.1130 dated 12th January 1962 from the Executive Engineer, Mysore Divisio Mysore, addressed to Government and copy endorsed to you on the abo subject and to request you to furnish the required particulars called for therein immediately.

Yours faithfully,

Sd/-

(K. B. MURARAPPA)
Deputy Secretary to Government,
Public Works Department (Irriga

Memo of even No. & Date.

Copy of the above is forwarded to:

1. The Chief Engineer, Irrigation Projects, Munirabad;
2. The Superintending Engineer, Mysore Circle, Mysore,

for information with a request to forward the report calle for in the Government letter of even No. dated 23-12-61.

29.1.62

(K. B. MURARAPPA)
Deputy Secretary to Governmen
ic Works Department (Irri

No. 26/KRS/MMI/ 37963

GIS 14.2-G2

MYSORE GOVERNMENT SECRETARIAT
TAPAL SECTION
17 FEB 1962
PUBLIC WORKS DEPART

To

The Executive Engineer,
K. R. Sagar Division,
K.R.Sagara.

Sub: Levy of water rate in V.C.Dn. area on Sugar Cane.

Ref: Letter No. Pwd.14.GIG.60, dt 29-1-62 by the Govt. and copied to this office.

.....

In inviting his reference to this office D.O.No.11580/26.KRS/MMI, dated 5.1.62, forwarding copy of Government let No. PWD.14/GIG, d.23.12.61, for submission of a report on th above subject the Executive Engineer is informed to submit report called for therein forthwith, as reminder is received from the Government for forwardal of a report from this offi This may be treated as very urgent and the particulars furnished without any delay.

Sd/-. (V. Sridhar),
for Superintending Engineer,
MysoreCircle,Mysore.

44.12.2.62.

1) Copy to the Executive Engineer, V.Canal Dn.Mandya, in continuation of this office D.O.No.11580/26.KRS.MMI. dated 5.1.62, The details may be furnished forthwith.

2) Copy to the Deputy Secretary to Government, P.W.D. with reference to his letter No.PWD/14/GIG/ dated 29.1.62.

V. Sridhar
for Superintending Engineer,
Mysore Circle.

GOVT. SECRETARIAT
1230/GS
21 FEB 1962
GENERAL BRANCH

C. F. No. 45]

GOVERNMENT OF MYSORE

OFFICE OF

Tele gram / phone

.....Chief Engineer.....

No. VCA/TEC/TA2

IRRIGATION &

Encls.

.....RAICHUR.....

Date 17.2.62

MYSORE GOVERNMENT SECRETARIAT
TAPPAL SECTION
23 FEB 1962
SECTION .....
PUBLIC WORKS DEPARTMENT

The Secretary to Government,.....
Public Works & Electricity Department,
Vidhana Soudha!,.....
Bangalore.

GS

Sub:- Levy of water rate in Visweswariah Canal Division area on Sugar Cane.

Ref:- Government letter No. PWD 14 GIG 60 dated 23rd December 1961.

The notification No. R 428-LR 131-32-5 dated 24/25-7-1933 of the Development Department was not taken into consideration while furnishing reply with this office letter of even No. dated 19-8-1961, as a copy of the notification was not traceable in the records of this office and those of the Superintending Engineer, Mysore Circle and Executive Engineer, Visweswariah Canal Division, Mandya.

1338/GS
24 FEB 1962
P. D. (GENERAL IRRIGATION)

.2.62.

Yours faithfully,

for Chief Engineer
Irrigation Projects.

13.2.62

No.PWD 116 gl960

Mysore Government Secretariat
Vidhana Soudha,
Bangalore, Dated: 1-3-1962

From

The Secretary to Government of Mysore,
Public Works Department,
BANGALORE.

To

The S.E. Mysore Circle / E&K.R Saga Dn.

SUBJECT:- Area 467/c

Sir,

I am directed to invite attention to the Government Letter of even ~~number~~ dated 29-1-1962 on the above subject and to request the favour of an immediate reply ~~as to how the matter stands.~~

Issued in Memo No. ... Dated ... 3.3.62

Yours faithfully,

28/2/62

By

For Secretary to Government,
Public Works Department.

MYSORE GOVERNMENT SECRETARIAT
TAPPAL SECTION
13 MAR 1962
PUBLIC WORKS DEPARTMENT

Office of the Superintending Engine
Mysore Circle,
Mysore, dated. 21-3-62

No. 46/KRS/MMI/61-62/ 14118

To

The Secretary to Government of Mysore,
Public Works Department,
Vidhanasoudha, Bangalore.

Sir,

Sub: Levy of water rate in V.C. Area on Sugar Ca

Ref: Your letter No.PWD 14 GIC 60 dated 29.1.62 subsequent reminders of 1.3.62.

****

With reference to the above, I write to state a report due from the Executive Engineer, V.C. Divisio still awaited. He has again been reminded to-day for nishing a report immediately. On receipt of the same communication will be made.

Yours faithfully,

19.3.62

(V. SRIDHARA)
For Superintending Engineer,
Mysore Circle.

SECRETARIAT
19.86
24 MAR 1962
P.W.D. (GENERAL IRRIGATION)

From

The Secretary to the Government of Mysore,
Public Works Department, Bangalore.

To

The S.E. Mysore Circle/ E.E. Sagar

Sir,

Subject:- Arrears 657c

I am directed to invite attention to the Government Letter of even number dated 29-1-62 and ~~your letter No. ..... dated ....~~ reminder dt 1-3-62 on the above subject, and to request you to expedite your reply in the matter within a week.

This file is pending since ...June.....1960.

Yours faithfully,

Deputy Secretary to Government
Public Works Department (Irriga

Issued to N.A. PWD
dated.... 10.4.62

BRP/500

S. H. AHMED, B.A.,
Special Assistant Commissioner,
Directorate of Anti-Corruption and
Technical Audit (PWD),

No.13, Palace Road,
Bangalore,

10th April, 1962.

D.O.No. IWC 3/1512/G1/59-60

Dear Shri Annappa,

Subject: Booking of additional demand o
Water rate on Sugar cane crops
in Mandya District.

This is just to draw your personal attention to this Department's letters of even No dated 16-6-60 and 23-9-60. The Tahsildar, Maddu Taluk has reminded me again to communicate final orders of Government about the booking of additio demand of Water rate of Rs.2.50 per acre on Commercial crops, in respect of Viswesvariah Cana Atchkat. I have asked the Tahsildar to proceed with the booking of the demand awaiting the order of the Government. It is a long time that the orders of Government in this regard are awaited.

Could you please be so good as to look into the concerned papers personally to ensur the necessary orders of the Government are communicated at the earliest.

72

Dear Sri Ahmed,

Please refer to your D.O. letter No.IWC 3/ 1512/GI/59-60 dated 10th April 1962 on the above subject. The matter has been examined by Govern ment in consultation with Rev. Dept. and Law Dep for certain clarification has been called for fr the Chief Engineer, I.P., Munirabad, Superintend Engineer, Mysore Circle and Executive Engineer, Krishnarajasagar Dn. A further communication w be sent to you as soon as their report is receiv They have been reminded in the mat

Yours sincerely,

Sri S.H. Ahmed, B.A.,
Spl. Asst. Commr.,
Directorate of Anti-Corruption
and Technical Audit, (PWD),
BANGALORE.

Copy of the above forwarded to the S.E. Mysore Circle and E.E. K.R.S. Dn. with a re- quest to expedite the report called for in the Govt. letter of even No. dated 23-12-1961.

D.S., P.W.D. (I)

K.B.Murarappa, B.E.,M.C.E.(USA),
Deputy Secretary to Government,
Public Works Department(Irrgn).

Mysore Government Secreta
Vidhana Soudha,

Dated, Bangalore, 10 -5

D.O.NO.PWD 14 GIC 60.

Dear Shri Ahmed,

Subject:- Looking of additional demand of Water rate on Sugar Cane Crops in Mandya Dist.

...

Please refer to your D.O. letter No. IUC 3/1512/GI/ 59-60, dated 10th April 1962 on the above subject. The matter has ben examined by Government in consultation with Revenue Department and Law Department. Certain clarificat has been called for from the Chief Engineer, Irrigation Projects, Munirabad, the Superintending Engineer, Mysore C and the Executive Engineer, Krishnarajasagar Division. A further communication will be sent to you as soon as their report is received. They have been reminded in the matter

Yours sincerely,

Sd/-

Shri S.H.Ahmed, B.A.,
Special Assistant Commissioner,
Directorate of Anti-Corruption,
and Technical Audit (PWD),
BANGALORE.

Copy of the above forwarded to:-

1. The Superintending Engineer, Mysore Circle, Mys
2. The Executive Engineer, Krishnarajasagar Divisi

with a request to expedite the report called for in the (ent letter of even number dated 23.12.1962.

10.1.62

(K.B.Murarappa)
Deputy Secretary to Government
Public Works Department(Irrgn)

Copy to the Deputy Secretary to Govt. Public Works Department, Vidhanasoudha, Bangalore with reference to his No. PWD 14 GLG/60 dated 10.4.62. A final report will be forwarded after the required details are received from the Executive Engineer, V.C.Division, Mandya.

A II

for Superintending Engineer,
Mysore Circle

3802
14.5.62

Submitted:-

A I. This may be transferred to G I Section for do whom it pertains.

7/5/62

7/5/62

GIS)

11.5.62

Sri S.N

MYSORE GOVT. SECRETARIAT
3629
14 MAY 1962
P. W. D. (GENERAL BRANCH)

The file No PWD 14 GLG 60 has been submitted Deputy Secretary to PWD (Rs) on 19.5.62 Its return may be awaited

29.5.62

MURARAPPA, B.E.,M.C.E.(USA),
Deputy Secretary to Government,
Public Works Department (IRRIGATION)

Mysore Government Secretariat
'Vidhana Soudha',

O.NO.PWD 14 G 9660 Dated,B'lore,the 11-7-196

Dear Sir,

Subject:- As on 65 C f

....

I am desired to invite reference to Government letter of even number dated 29-1-1962 and -

---

from 14 G 9660 dated 1-3-62
4 10-4-62

---

subsequent reminders noted in the margin on the subject cited and to request you to pay personal attention to the matter and furnish the report called for therein immediately.

Yours sincerely,

3/7/

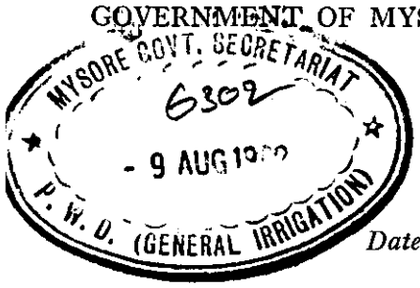
In S B Mysore. write Mysore

) B B. K R Sagar on. K.R Sagar

By

MKR ~~E E V.C. D Hardy~~

GOVERNMENT OF MYSORE



OFFICE OF THE EXECUTIVE ENGINEER,
KRISHNARAJASAGAR DIVISION,

Dated, Krishnarajasagar, 2.8.....

The Superintending Engineer,
Mysore Circle,
Mysore.

Sir,

Sub:- Levy of water rate in V.C.Area on Sugar Cane.

Ref:- D.O.No.MMI.320/VCA/62-63 dated 31-5-1962.

Adverting to the D.O.mentioned, I invite your kind referen
;o section 29 subsection(3) of Chapter VI of the Mysore Irrigati
legulation No.1 of 1932 which provides for the revision of water
'ate after the expiry of first 10 years. Even though more than
'ears have elapsed since water rate was fixed in the first insta
'or the atchkat under V.C.no revision has so far been effected.
'as with reference to this that the reply of this office in No.3
ated 16-2-1962 was furnished.

In para 4 of Government Notification No.R.128-LR.131-32.
ated 24/25 July 1933 it has been stated that Chapter VI of the
egulation shall apply to all Irrigation works in Mysore estimat
e cost net less than Rs.10,000/-. Hence, V.C.atchkat also comes
n the purview of Chapter VI of the Regulation.

K. MURARAPPA, B.E.,M.C.E.(USA),
Deputy Secretary to Government,
Public Works Department (IRRIGATION)

Mysore Government Secretariat
'Vidhana Soudha',
Dated, B'lore, the \\ July 19[illegible]
Ashadha Saka Era 188[illegible]

.O.NO.PWD 14 GIG 60

Dear Sir,

Sub:- Levy of Water rate in Vesveswariya Canal Division area on Sugar Cane.

-.-

I am desired to invite reference to Government letter of even number dated 29th January 1962 and subsequen

PWD 14 GIG 60 dated	1.3.1962	reminders not
- do -	10.4.1962.	in the margin

on the subjec cited and to request you to pay personal attention to the matter and furnish the report called for therein immediately.

Yours sincerely,

.B. MURARAPPA, B.L.,M.C.E.(USA),
Deputy Secretary to Government,
Public Works Department (IRRIGATION)

Mysore Government Secretariat,
'Vidhana Soudha',

D.O.NO.PWD Dated,B'lore,the 24-8- 1962.

Dear Sir,

Subject:- As on 6.78/c

....

I am desired to invite reference to Government letter of even number dated 23-12-61 and ~~subsequent~~ 29-1-1962, 1-3-62 10-4-62, 10-5-62 & 11-7-62 ~~and~~ ~~subsequent~~ reminders noted in the margin on the subject cited and to request you to pay personal attention to the matter and furnish ~~the report called for therein immediately.~~ your remarks. ~~at your earliest convenience.~~

~~dt:23-12-1961~~ Yours sincerely,

K.B.HUSKAPPA, B.E.,M.C.E.(USA)
DEPUTY SECRETARY TO GOVERNMENT
PUBLIC WORKS DEPARTMENT(IRRN.).

MYSORE GOVERNMENT SECRETARIAT
VIDHANA SOUDHA,
BANGALORE, DATED 24 AUGUST,

D.O.No.PWD 14 GIG 60.

Dear Sir,

Sub:-Levy of water rate in Visveswaraiah Canal Division area on Sugar Cane..

I am desired to invite reference to Government

29-1-1962, 1-3-1962, 10-4-62, 10-5-1962, and 11-7-1962.

letter of even number dated 23-12-1961 and subsequent reminders noted in the margin on the subject cited and to request you to pay personal attention to the matter and furnish your remarks.

Yours sincerely,

23.8.62

Shri H.Channiah, B.E.,
Superintending Engineer,
Mysore Circle, MYSORE.

K.B. MURARAPPA, B.E.,M.C.E.(USA),
Deputy Secretary to Government,
Public Works Department (IRRIGATION)

Mysore Government Secretariat
'Vidhana Soudha',

D.O.NO.PWD Dated,B'lore,the . 196

Dear Sir,

Subject:- As on 682/c

I am desired to invite reference to Government letter of even number dated 23-12-61 and subsequent reminders noted in the margin on the subject cited and to request you to pay personal attention to the matter and furnish the report called for therein immediately.

29-1-62, 1-3-62,
10-4-62, 10-5-62
+ 11-7-62 + 24-8-62

Office of the Superintending Engineer
Mysore Circle,
Mysore, Dated.....19

No.MMI-320-VCA-62-63.

10 SEP 1962

To

7762

The Secretary to Government,
Public Works Department (Irrn),
Bangalore.

Sir,

Sub: Levy of water rate in V.C. Area on Sugar Cane.

Ref: Your letter No.PWD 14 GIG 60 dated 23-12-61 and D.O. reminder dated 24th August 1962.

I write to state that as there was no information in this office regarding the application of the Mysore Irrigation Act 1932 to the K.R.Sagar area under Section 2 of the Act, the same was intimated to you earlier in this office letter No.26/KRS/MMI/1766 dated 16th May'61.

It is clear from the copy of notification dated 25th July 1933 received with your letter dated 23-12-61, that the 1932 Act (with the exception of certain chapters) has been made applicable to all Irrigation works, incl ing K.R.Sagar works also.

Draft approved by SE"

Yours faithfully,

(H.Channiah)
Superintending Engineer,
Mysore Circle.
10/9/62

Raj/109.

This pertains to Irrg Section

17/9

17/9/62

Report of the Committee constituted in G.O. No. P.W.A. 5657-63—Irn. 54-176, dated 28th August 1954 to examine the question of scales of water rate and contribution in respect of Irrigation Works in the Mysore State.

GOVERNMENT OF MYSORE

PUBLIC WORKS DEPARTMENT.

G. O. No. P.W.A. 934-41—Irn. 10-56-1, dated 11th May 1956.

Water Rate and Contribution.

Accepts the recommendations of the Committee constituted to examine the question of rationalisation of scales of —— in respect of irrigation works in the Mysore State, with certain modifications.

READ—

1. Government Order No. P.W.A. 5657-63—Irn. 2-54-176, dated 28th August 1954, constituting a Committee with the Minister for Agriculture as Chairman and with the officers designated below as members, to examine the question of rationalisation of scales of water rate and contribution in respect of irrigation works in the State.

Chairman.

Dr. R. Nagan Gowda, M.Sc., Ph.D.

Members.

The Revenue Commissioner in Mysore.
The Financial Secretary to Government.
The Revenue Secretary to Government.
The Secretary to Government, Public Works Department
The Chief Engineer of Mysore.
The Special Chief Engineer for Major Irrigation Works.

Secretary.

...e Technical Assistant to the Chief Engineer.

2. Letter No. 9456—G.I., dated 28/30th December 1955, from the Secretary of the Committee forwarding the report of the Committee.

ORDER THEREON No. P.W.A. 934-41—IRN. 10-56-1, DATED BANGALORE, THE 11TH MAY 1956.

The system of levy of contribution and water rate in respect of irrigation projects has been in force in the State for several decades past. One of the earlier orders of Government on the subject referred to the various factors that have to be taken into account in determining the scales of contribution and water rate in any particular case. In accordance with this order, contribution and water rate are being fixed in each individual case with reference to the cost of the project, the nature of the area in which it is to be located, the estimated increase in the value of the lands benefited by it, the capacity of the prospective beneficiaries to bear the levy, the normal expenditure on the maintenance of the project, the return expected on that portion of the cost which is met by Government and other relevant considerations. There had, however, been no attempt at defining the monetary limits for the levy or at fixing the minimum percentage return or even at laying down basic principles to be followed in fixing the levy in individual cases. The question of rationalisation of the basis for the

levy has therefore been under the consideration of Government for some time past. A Committee was constituted to go into the entire question and to furnish its report. The Committee after going through and reviewing—

(*i*) The several Government Orders which enumerate the considerations governing the levy of contribution and water rate;

(*ii*) The provisions of the Minor Tank Restoration Act;

(*iii*) The provisions of the Irrigation Regulation of 1916 as amended in 1923; and

(*iv*) The provisions of the Irrigation Act of 1932 as amended in 1952;

has submitted its report, a copy of which is appended hereto. The main recommendations of the Committee are briefly indicated below:

(1) No contribution or water rate need be levied on works costing Rs. 2,500 or less and no contribution need be levied in cases of restoration or improvement which results only in regaining the lost capacity or in assuring water supply to the existing atchkat, except to the extent of enforcing the ryots' liability for the proper maintenance of the work;

(2) As a general rule, the net return on the Government share of cost from any project costing more than Rs. 50.000 shall be not less than 3 per cent and the net return on projects costing Rs. 50,000 or less shall be not less than 2 per cent;

(3) Contribution for restoration and improvement works will be fixed at a maximum of Rs. 300 and a minimum of Rs. 75 per acre;

(4) In the case of new irrigation works costing more than Rs. 50,000, the maximum and the minimum rates of contribution to be levied will be Rs. 600 and Rs. 150, respectively, while in the case of those costing Rs. 50,000 or less, the maximum and minimum will be 50 per cent of the above figures. Government shall not however be precluded from levying a higher rate of contribution when ryots owning more than two-thirds of the atchkat agree to pay it;

(5) The holders of lands benefited from the project may be given the option of paying contribution by way of surrendering from out of their holdings irrigable lands under the same project, subject to certain limits and conditions;

(6) In the case of new irrigation works costing Rs. 5 lakhs and above across streams and rivers of a perennial nature to be specified, water rate should be levied on the basis of the kind of crops raised under the project on the following scale:—

Irrigated dry	...	... Rs. 5 to Rs. 8 per acre per annum
Paddy	...	... Rs. 10 to Rs. 16 per acre per annum
Perennial including sugarcane		... Rs. 20 to Rs. 32 per acre per annum

In the case of manurial crops like sunnhemp, the water rate will be half that for irrigated dry, provided water is supplied from a Government source of irrigation. Water rate where levied on crop basis may be levied on every additional crop raised during the year;

(7) In the case of new irrigation works costing less than Rs. 5 lakhs, water rate shall be levied on the acreage basis annually, the actual rate ranging from a minimum of Rs. 10 to a maximum of Rs. 20 per acre. A higher rate may be levied if the ryots owning more than two-thirds of the atchkat agree to pay such water rate;

(8) In respect of lands irrigated for the first time under the new irrigation works, a graded water rate as follows may be levied:—

(i) First year	...	...	¼ water rate
(ii) Second year	...	...	½ water rate
(iii) Third year and onwards	...	...	Full water rate

(9) If the water is drawn for purposes of lift irrigation from natural hallas and rivers, contribution need not be levied, and only water rate may be levied as contemplated in the Land Revenue Rules and in the Revenue Manual. Water rate not exceeding half the difference between wet and dry assessment in the area may be levied annually, subject to a minimum of Rs. 2 per acre, when water is drawn

from a source which belongs to Government. But if the water for lift irrigation is drawn from an irrigation channel, both contribution and water rate at half the rates applicable to lands under the main irrigation work may be levied ;

(10) The same principles as are applicable to the levy of water rate under new irrigation works may be adopted in the case of existing irrigation works like Krishnarajasagara and Vani Vilas Sagara ;

(11) In the case of irrigation projects like the Bhadra, Tunga, Nugu, Tungabhadra and Ambligola Reservoirs, where the contribution and water rate agreed to by the ryots are inadequate owing to a large increase in the cost of the projects, Government should have power to revise the rates suitably. The proposed rates of contribution and water rate require suitably to be altered in accordance with the principles already enunciated by the Committee in view of the substantial increase in the cost.

After carefully considering the report of the Committee, Government are pleased to accept the recommendations subject to the following modifications :—

(1) In the case of restoration or improvements (referred to in para 26 of the report), the minimum contribution leviable may be Rs. 50 per acre instead of Rs. 75 recommended by the Committee ;

(2) In the case of irrigation works costing more than Rs. 50,000 (referred to in para 27 of the Committee's report), the maximum contribution leviable may be Rs. 500 instead of Rs. 600 as proposed ;

(3) With regard to water rate for paddy and sugarcane (referred to in para 32 of the report), the rate for paddy may vary from Rs. 8 to Rs. 15 instead of from Rs. 10 to Rs. 16 as proposed and that for sugarcane from Rs. 15 to Rs. 25 instead of from Rs. 20 to Rs. 32 as proposed, respectively ;

(4) With regard to manurial crops (*vide* para 33 of the report), no water rate need be levied for growing manurial crops only, such as sunnhemp, Kolanji, Sesban, Dainch, etc. ;

(5) With regard to the levy of water rate in respect of irrigation works costing less than Rs. 5 lakhs, the minimum rate may be reduced to Rs. 8 ; and

(6) Whenever water rate is levied in addition to wet assessment, the total should not exceed the maximum water rate proposed by the Committee *plus* the dry assessment.

Government further direct that the recommendations of the Committee with the modifications indicated above be given effect to immediately in all cases where no legislation is called for. Action will be taken separately to frame suitable legislation for the purpose of giving effect to those that are not covered by the existing provisions of the Irrigation Act. The Chief Engineer is requested to send up for approval draft rules in regard to the former category of recommendations, in consultation with the Revenue Commissioner.

D. K. SRINIVASACHAR,
Secretary to Government,
Public Works Department.

To—The Chief Engineer of Mysore, Bangalore.
The Special Chief Engineer for Major Irrigation Works, Bangalore.
The Revenue Commissioner in Mysore, Bangalore.
The Accountant General, Mysore, Bangalore.
The Superintending Engineers of Circles.
The Deputy Commissioners of Districts.
The Secretaries to Government.

Exd.—B.G.S.

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REPORT OF THE COMMITTEE CONSTITUTED IN G.O. No. P.W.A. 5657-63—Irn. 54-176, DATED 28th AUGUST 1954, TO EXAMINE THE QUESTION OF SCALES OF WATER RATE AND CONTRIBUTION IN RESPECT OF IRRIGATION WORKS IN THE MYSORE STATE.

SECTION I

Introduction

1. Government constituted a Committee in G.O. No. P.W.A. 5657-63—Irn. 54-176, dated 28th August 1954 to examine the question of scales of water rate and contribution in respect of irrigation works in Mysore State.

2. The personnel of the Committee is :—

Chairman—

Dr. R. Nagan Gowd, M.SC., PH.D., Minister for Agriculture.

Members—

(1) The Revenue Commissioner in Mysore.
(2) The Financial Secretary to Government
(3) The Revenue Secretary to Government.
(4) The Secretary to Government, P.W.D.
(5) The Chief Engineer of Mysore.
(6) The Special Chief Engineer of Mysore.

Secretary—

The Technical Assistant to the Chief Engineer of Mysore.

3. The Committee was requested to go into the entire question of fixing appropriate rates of contribution and water rate under each of the major irrigation projects in the State and generally in the case of all projects and to formulate comprehensive proposals.

4. The Committee met nine times under the Chairmanship of the Minister for Agriculture and dealt mainly with the principles of levy of water rate and contribution on irrigation works of different categories. There were some other matters referred to it from time to time by Government and which were also considered by the Committee, *viz.*,

(*i*) The representation of Malnad ryots, stating that they are already subject to heavy wet assessment.

(*ii*) Cut motion moved on Demand No. 37—Mysore Legislative Assembly, Budget Session, 1955 —" To urge the Government not to levy water rate on the atchkat under the tank that is to be restored to its original capacity."

(*iii*) Financial forecast of the major irrigation projects like (*a*) Bhadra Reservoir, (*b*) Tunga Anecut, (*c*) Nugu Reservoir, (*d*) Ambligola.

(*iv*) Revision of water rates in respect of the atchkat under Vani Vilas Sagar Reservoir.

(*v*) Water rate to be levied in the case of Lift Irrigat

(*vi*) Amendment of section 29 of Irrigation Act.

SECTION II

5. Different rates of contribution and water rate, which vary not only from place to place but from project to project, are at present being levied under the several irrigation projects in the State.

6. The several Government Orders which lay down the rates of contribution and water rate to be levied in the case of the land brought under irrigation indicate broadly the principles that should regulate the levy of contribution and

water rate, taking into account the improvement in the value of the lands or the increase in the output as a result of the irrigation work coming into existence. The earliest Order of 1st October 1888 on the subject lays down the principle on which contribution is to be levied in future from the landholder benefited by such irrigation works. The Order states that " When Government undertake a large irrigation work which adds great value to the holdings below, it has a right to participate in some moderate degree in the additional value that is imparted. It is sometimes contended that the wet assessment imposed is a sufficient return for the capital which Government spends on a new work. This is not the case. The increase of value is quite irrespective of the enhanced assessment but is due partly to the construction of the irrigation work and partly to the position of the land itself."

7. The same Government Order further lays down the following rules :—

(1) When a proposal for an irrigation work is under investigation or consideration, all Government un-occupied dry land likely to be converted into wet by such work should be reserved for sale by public auction after the completion of the work and no application for its grant should be accepted.

(2) No contribution in a lumpsum shall be levied in respect of such work from the holders of inam or Government occupied lands likely to be benefited by the same, but they should be called upon to execute Mutchalikas binding themselves to pay to Government on the completion of the work, a specified contribution per acre of occupied dry land which may be converted into wet, without in anyway affecting the liability of the land, if belonging to Government, to pay a wet rate of assessment and, if inam, the prescribed water rate.

(3) The contribution per acre, as per the foregoing rule, shall according to the circumstances of the ryots concerned, vary from a third to a fifth of the difference between the market value of an acre of dry land and of an acre of wet land. The quantity and permanence of the water available for irrigation, the quality of soil and the agricultural labour available will all be taken into account in fixing the market value as above.

(4) Where holders of not less than five-sixths of the occupied area execute mutchalikas under these rules and the holders of the remaining area refuse to do so, the matter should be reported in the statement accompanying the estimate for the orders of Government, and Government will then decide whether the work should be abandoned by reason of such refusal or whether the refusing landholders should be compelled to pay their due share of contribution either in one lumpsum or by means of a temporary addition to the wet assessment for a specified number of years (say 7 or 8 annual payments of the contribution fixed).

8. These principles are being observed from a long time, though there have been changes from time to time in the procedure adopted.

9. The Minor Tank Restoration Regulation, XIII of 1916, was passed in December 1916, providing for the recovery of the ryots' share of the cost of restoration or improvement compulsorily when the holders of not less than two-thirds of the area of irrigable lands under an existing tank agree to pay it.

10. The position was reviewed when the Regulation of 1916 was amended in 1923. The amendment provided that one-fourth of the actual cost of the restoration or one-fourth of the probable cost as published in the *Mysore Gazette*, whichever is less, shall be recoverable as contribution from all the ryots holding lands under the tank in the proportion of the assessment, or assessment and water rate, as the case may be, payable on such lands, provided that the amount does not in any case exceed eight times the annual assessment or eight times the annual assessment and water-rate, as the case may be, on the irrigable lands.

11. The Minor Tank Restoration Act was amended in 1948 laying down that "all ryots holding lands under the tank shall be liable, in the proportion of the assessment or assessment and water-rate, as the case may be, payable on such

12. The Minor Tank Restoration Act was repealed in 1952, and the Minor tanks were also brought under the irrigation Act of 1932 as amended from time to time.

13. The irrigation Act of 1932 as it stands now provides for the levy on the benefited area of contribution and water-rate, subject to such rules as may be prescribed by Government in this behalf and subject to the condition that the contribution in respect of the restoration or improvement of any minor tank shall not exceed Rs. 200 per acre.

14. Thus, the position still is that contribution and water rate are being levied with reference to each project keeping in view the following facts :—

(i) Prospective increase in value of irrigable lands ;

(ii) Ability of ryots to pay ;

(iii) Net return expected ; and

(iv) Whether the work is of a protective character or not.

15. All irrigation works, whether new or whether they pertain to restoration of major or minor tanks, come within the purview of the Irrigation Act. Sections 25, 26 and 27 lay down the mode of conducting a formal enquiry in regard to proposals for construction, restoration or improvement. After the conclusion of such enquiry, Government are required to notify the rates of contribution and water-rate.

16. The Committee wish to point out that the system of levy of contribution to cover a part of the capital cost incurred on the Irrigation Project has been in vogue in Mysore State for a long time and that it has stood the test of time. The Planning Commission have also recommended the extension of this system of levy of contribution to other States as well. The Committee wish further to extend and rationalise this system of contribution. Contribution shall partake of the nature of a betterment levy and it is reasonable to recover by way of contribution not less than half the estimated increase in the value of the land as a result of the execution of the Irrigation Project. The Committee also feel that the amount realised by the levy of contribution should be earmarked for repayment of the funds that may have been borrowed to finance the execution of the Irrigation Project.

17. There are, however, not sufficient indications at present as to what proportion of the capital cost should be recovered as contribution, whether there should be a maximum and minimum, whether the whole cost can be recovered as contribution amount, and whether the contribution amount can only be in the form of money or in the shape of lands also or both. Even in the case of water rate, similar ambiguity exists. The water rate wherever levied is at a fixed and flat rate and is not at all related to the kind of crop grown.

18. The importance of the question of net return arises with reference to the present mode of financing irrigation projects by loans and Central assistance in a number of cases. It is necessary that the projects so taken up should yield a minimum return as otherwise interest charges on the loans and advances taken to finance such projects may become excessive.

19. The Committee are also of the view that maximum and minimum rates of contribution in regard to several classes of irrigation works should be indicated to enable a proper determination of the rates applicable to each project within those limits, and also to enable the ryots to understand properly the basis of this form of levy.

water-rate, taking into account the improvement in the value of the lands or the increase in the output as a result of the irrigation work coming into existence. The earliest Order of 1st October 1888 on the subject lays down the principle on which contribution is to be levied in future from the landholder benefited by such irrigation works. The Order states that " When Government undertake a large irrigation work which adds great value to the holdings below, it has a right to participate in some moderate degree in the additional value that is imparted. It is sometimes contended that the wet assessment imposed is a sufficient return for the capital which Government spends on a new work. This is not the case. The increase of value is quite irrespective of the enhanced assessment but is due partly to the construction of the irrigation work and partly to the position of the land itself."

7. The same Government Order further lays down the following rules :—

(1) When a proposal for an irrigation work is under investigation or consideration, all Government un-occupied dry land likely to be converted into wet by such work should be reserved for sale by public auction after the completion of the work and no application for its grant should be accepted.

(2) No contribution in a lumpsum shall be levied in respect of such work from the holders of inam or Government occupied lands likely to be benefited by the same, but they should be called upon to execute Mutchalikas binding themselves to pay to Government on the completion of the work, a specified contribution per acre of occupied dry land which may be converted into wet, without in anyway affecting the liability of the land, if belonging to Government, to pay a wet rate of assessment and, if inam, the prescribed water rate.

(3) The contribution per acre, as per the foregoing rule, shall according to the circumstances of the ryots concerned, vary from a third to a fifth of the difference between the market value of an acre of dry land and of an acre of wet land. The quantity and permanence of the water available for irrigation, the quality of soil and the agricultural labour available will all be taken into account in fixing the market value as above.

(4) Where holders of not less than five-sixths of the occupied area execute mutchalikas under these rules and the holders of the remaining area refuse to do so, the matter should be reported in the statement accompanying the estimate for the orders of Government and Government will then decide whether the work should be abandoned by reason of such refusal or whether the refusing land-holders should be compelled to pay their due share of contribution either in one lumpsum or by means of a temporary addition to the wet assessment for a specified number of years (say 7 or 8 annual payments of the contribution fixed).

8. These principles are being observed from a long time, though there have been changes from time to time in the procedure adopted.

9. The Minor Tank Restoration Regulation, XIII of 1916, was passed in December 1916, providing for the recovery of the ryots' share of the cost of restoration or improvement compulsorily when the holders of not less than two-thirds of the area of irrigable lands under an existing tank agree to pay it.

10. The position was reviewed when the Regulation of 1916 was amended in 1923. The amendment provided that one-fourth of the actual cost of the restoration or one-fourth of the probable cost as published in the *Mysore Gazette*, whichever is less, shall be recoverable as contribution from all the ryots holding land under the tank in the proportion of the assessment, or assessment and water rate, as the case may be, payable on such lands, provided that the amount does not in any case exceed eight times the annual assessment or eight times the annual assessment and water-rate, as the case may be, on the irrigable lands.

11. The Minor Tank Restoration Act was amended in 1948 laying down that "all ryots holding lands under the tank shall be liable, in the proportion of the assessment or assessment and water-rate, as the case may be, payable on such

pay as contribution, one-fifth of the actual cost of restoration or one-fifth of the probable cost".

12. The Minor Tank Restoration Act was repealed in 1952, and the Minor tanks were also brought under the irrigation Act of 1932 as amended from time to time.

13. The irrigation Act of 1932 as it stands now provides for the levy on the benefited area of contribution and water-rate, subject to such rules as may be prescribed by Government in this behalf and subject to the condition that the contribution in respect of the restoration or improvement of any minor tank shall not exceed Rs. 200 per acre.

14. Thus, the position still is that contribution and water rate are being levied with reference to each project keeping in view the following facts :—

(i) Prospective increase in value of irrigable lands ;

(ii) Ability of ryots to pay ;

(iii) Net return expected ; and

(iv) Whether the work is of a protective character or not.

15. All irrigation works, whether new or whether they pertain to restoration of major or minor tanks, come within the purview of the Irrigation Act. Sections 25, 26 and 27 lay down the mode of conducting a formal enquiry in regard to proposals for construction, restoration or improvement. After the conclusion of such enquiry, Government are required to notify the rates of contribution and water-rate.

16. The Committee wish to point out that the system of levy of contribution to cover a part of the capital cost incurred on the Irrigation Project has been in vogue in Mysore State for a long time and that it has stood the test of time. The Planning Commission have also recommended the extension of this system of levy of contribution to other States as well. The Committee wish further to extend and rationalise this system of contribution. Contribution shall partake of the nature of a betterment levy and it is reasonable to recover by way of contribution not less than half the estimated increase in the value of the land as a result of the execution of the Irrigation Project. The Committee also feel that the amount realised by the levy of contribution should be earmarked for repayment of the funds that may have been borrowed to finance the execution of the Irrigation Project.

17. There are, however, not sufficient indications at present as to what proportion of the capital cost should be recovered as contribution, whether there should be a maximum and minimum, whether the whole cost can be recovered as contribution amount, and whether the contribution amount can only be in the form of money or in the shape of lands also or both. Even in the case of water rate, similar ambiguity exists. The water rate wherever levied is at a fixed and flat rate and is not at all related to the kind of crop grown.

18. The importance of the question of net return arises with reference to the present mode of financing irrigation projects by loans and Central assistance in a number of cases. It is necessary that the projects so taken up should yield a minimum return as otherwise interest charges on the loans and advances taken to finance such projects may become excessive.

19. The Committee are also of the view that maximum and minimum rates of contribution in regard to several classes of irrigation works should be indicated to enable a proper determination of the rates applicable to each project within those limits, and also to enable the ryots to understand properly the basis of this form of levy.

20. As regards water rate too, the Committee consider that maxima and minima should be fixed in reference to kinds of crop in the case of big irrigation projects and generally with regard to others also, and that the rates should be related to the cost of maintenance of the project.

21. On a consideration of all these circumstances, the Committee wish to make the recommendations contained in the next Section.

Irrigation works may be divided into two categories :—

(i) New irrigation works including the restoration of abandon

(ii) Restoration and improvement of existing irrigation works.

Contribution

23. Contribution will be fixed on the basis of the estimated cost of the project but shall be liable to enhancement up to 50 per cent of the amount originally fixed, in the event of a substantial increase in the actual cost of execution of the project.

Water rate

24. Where water-rate is now recovered as a separate levy in addition to the existing assessment, wet or dry as the case may be, it may continue as such and may not be merged in the assessment during re-settlement.

Net return expected

25. (i) Irrigation works, costing more than Rs. 1,000 per acre of paddy cultivation should not normally be taken up.

(ii) As a general rule, the net return on the Government share of the cost from any project costing more than Rs. 50,000 shall be not less than 3 per cent.

(iii) As a general rule, the net return on projects costing Rs. 50,000 or less shall not be less than 2 per cent.

Restoration or improvement

26. Contribution in respect of restoration and improvement works will be fixed at a maximum of Rs. 300 and a minimum of Rs. 75 per acre. This levy will be subject to the following conditions :—

(i) Where restoration and improvement works bring fresh lands under irrigation, maximum and minimum rates applicable to such fresh lands shall be the same as those for new irrigation works.

(ii) In the case of the restoration or improvement of a tank which results only in restoring the tank to its original capacity or only in ensuring water supply to the existing atchkat to the same extent as it was entitled to originally (*i.e.* the capacity of the tank as specified in the Tank Register), no contribution or water rate will be leviable ; but that portion of the cost which is attributable to the proper maintenance of the tank and constitutes the ryots' liability will be recovered from the atchkatdars in full. In exceptional cases, where the portion of the cost which constitutes the ryots' liability exceeds thirty-two times the assessment on the atchkat, Government may waive the recovery of such portion of the cost as they may deem fit.

Maximum and Minimum limit of contribution

the case of new irrigation works costing more than Rs. 50,000 the minimum and maximum contribution to be levied will be Rs. 150 and Rs. 600 per acre respectively ; in the case of those costing Rs. 50,000 or less, the minimum and maximum will be 50 per cent of the above figures :

Provided, however, that Government shall not be precluded from levying a higher rate of contribution when ryots owning more than two-thirds of the atchkat have agreed to pay such contribution.

Works costing Rs. 2,500 and less

28. No contribution or water rate need be levied on works costing Rs. 2,500 and less.

Augmentation of water supply by restoration and improvement

29. In the case of restoration and improvement works, including the construction of feeder channels, which result in the augmentation of water supply to the existing atchkat, additional water rate will be levied so as to correspond, as far as possible to such augmentation; and contribution also will be levied in such cases according to the principles formulated in respect of levy of contribution.

By existing work becoming part of new irrigation project

30. In the case of existing irrigation works which become part of a new irrigation work and have their supply augmented by such work, contribution and water rate may be levied at rates not exceeding half of those levied in respect of fresh lands, and the water rate in such cases will be in addition to the existing wet assessment. The basis of levy, acreage or cropwise, will be the same as in respect of the main irrigation work.

Water rate to be levied on crop basis

31. In the case of new irrigation works costing Rs. 5 lakhs and above, across streams and rivers of a perennial nature to be specified, water rate will be levied on the basis of the kind of crops raised under the project. For this purpose, the classification will be as follows:

Maximum and Minimum water rate on crop basis

Irrigated dry, paddy and perennial including sugarcane.—

32. Water rate will be levied on the above classes at the following scales:—

Classification	*Rates*
Irrigated dry	Rs. 5 to Rs. 8 per acre per annum
Paddy	Rs. 10 to Rs. 16 ,,
Perennial, including sugarcane	Rs. 20 to Rs. 32 ,,

Manurial crops

33. In the case of manurial crops like sun-hemp, the levy of water rate will be at half that for irrigated dry, provided water is supplied from a Government source of irrigation.

Additional crop

34. Water rate, where levied on crop basis may be levied on every additional crop raised during the year. Where second and subsequent crops are raised on the same land within one agricultural year, every crop other than the main crop will be subject to levy of water rate at half the rate applicable to the main crop, an agricultural year for this purpose commencing from 1st July of a year and ending on 30th June of the following year. The Irrigation Officer or other competent authority will decide which the main crop is in respect of any particular land or block of lands.

Maximum and minimum water-rate on acreage basis

35. In the case of new irrigation works other than those referred para 31, the water rate shall be on the acreage basis, levied annually. actual rate will range from a minimum of Rs. 10 to a maximum of Rs. 20 per

Provided, however, that a higher water rate may be levied if the owning more than two-thirds of the atchkat agree to pay such water-rate.

New work forming part of a bigger work

36. When a new work forms part of a bigger irrigation work already existence the new work will be deemed to be a part of the bigger work, water rate and contribution shall be fixed on the same basis as for such la work.

Recovery of contribution and water rate

37. Contribution may be recovered in annual instalments not exceeding t the payment of contribution commencing from the year subsequent to that which the water is supplied.

Graded water rate

38. In respect of lands irrigated for the first time under new irrigati works, a graded water rate as follows may be levied :—

(*i*) First year	...	One-fourth water rate.
(*ii*) Second year	...	half water rate.
(*iii*) Third year and onwards	...	Full water rate.

Option to pay contribution by surrender of land

39. The holder of the land benefited from the project may be given th option of paying contribution by way of surrendering from out of his holdi irrigable land under the same project for the sum payable by him, subjec however, to the conditions that not more than half the sum due by way contribution may be paid by surrendering lands and that the extent of the lan so surrendered shall not be less than minimum extent prescribed under the rul for the constitution of a separate survey number in such area.

Lift Irrigation Works

40. If the water is drawn for Lift Irrigation from natural hallas and rivers contribution need not be levied, and only water rate may be levied as contem plated in the Land Revenue Rules and Revenue Manual ; water rate no exceeding half the difference between wet and dry assessment in the area may b levied annually, subject to a minimum of Rs. 2 per acre when water is drawn from a source which belongs to Government. But if the water for Lift Irrigatio is drawn from an irrigation channel, both contribution and water rate at half th rates levied in respect of the main irrigation work may be levied.

Revision of Water rate

41. The same principles which are applicable to the levy of water rat under new irrigation works may be made applicable under existing irrigation works like Krishnarajasagara and Vani Vilas Sagara.

Revision of contribution and water rate in respect of Bhadra, Tung Nugu, Tungabhadra, and Ambligola.

42. The Committee are of the view that, in the case of Irrigation Projects of Bhadra, Tunga, Nugu, Tungabhadra and Ambligola Reservoirs, where the

contribution and water-rate agreed to by [illegible] large increase in the cost of the projects, Government should have the power to revise the rates suitably. The proposed rates of contribution and water-rate require suitably to be altered in accordance with the principles already enunciated by the Committee, in view of the substantial increase in the cost. The Mysore Irrigation Act as it stands now does not appear to allow such revision of contribution in respect of existing irrigation works. In these circumstances, the Committee consider that the Act may suitably be amended to permit of such revision of contribution. The amendment of the Act for this purpose may be on the following lines :—

> " Where owing to unforeseen circumstances, the ultimate cost of an irrigation work is more than the originally estimated cost of the work, Government shall have the power to increase the rates of contribution and water-rate originally fixed so as to be commensurate with the increase in cost ".

" Special maintenance Cess " as an alternative to the maintenance of irrigation works by the atchkatdars.

43. The Mysore Irrigation Act has been recently amended by Act VII of 1952, making provision for the future maintenance of minor irrigation works and also to deal with cases of the neglect of the same.—*Vide* Chapters VI-A and VIII. The amended provisions in the Irrigation Act (Chapter VI-A) give sufficient powers to Government to take over any tank for maintenance and for levy of acreage contribution and acreage cess as and when necessary. These powers are adequate and call for no revision or addition at this stage.

SECTION IV

Amendment of the Irrigation Act

44. The Committee wish to make the following suggestions amendment of the Irrigation Act.

Amendment of Section 29

45. (*i*) Section 29 of the Mysore Irrigation Act may be amended so as to enable Government to delegate to the Chief Engineer the power to fix water-rate and contribution in respect of works costing Rs. 25,000 and less (where they are leviable according to the principles enunciated above), provided that the return on the Government share of the cost is not less than 2 per cent.

(*ii*) Sub-section (2) of section 29 may be deleted, as the maximum stipulated therein comes in the way of taking up the restoration of many minor tanks even where ryots are willing to pay their share of contribution, since the contribution would work out to more than Rs. 200 per acre, which is the maximum provided for under that sub-section.

(*iii*) Sub-section (3) of section 29 has also to be amended suitably to permit revision of water rate on lands under the existing irrigation projects, which were executed prior to the commencement of the Irrigation Act, 1932.

Major Irrigation Works—(a) *Bhadra*, (b) *Tunga*, (c) *Nugu*.

46. (*i*) As stated in the previous Section of the report in cases in which owing to unforeseen circumstances, the ultimate cost of an irrigation work has exceeded substantially the originally estimated cost of the work, Government should be empowered by suitable legislation to increase the rates of contribution and water-rate originally fixed so as to be commensurate with the increase in cost.

Major Irrigation Works—(b) *Tungabhadra*

(*ii*) No special provision in respect of Tungabhadra Project is necessary apart from an amendment of the law for the purpose of enabling the fixation of the rates of contribution and water-rate in respect of works whose construction has been begun without the observance of the formalities referred to under Sections 25, 26 and 27 of the Act.

Contribution and water-rate to be made a primary charge on the land

47. Provision has also to be made in the Irrigation Act to make contribution and water-rate primary charges on the land, just as in the case of, but subordinate to, the charges of land revenue on the land, so as to facilitate recovery.

(Sd.) R. NAGAN GOWD,
Chairman.
23-12-55

1. (Sd.) D. K. SRINIVASACHAR,
Secretary to Government,
P. W. & Electrical Departments.
(*Member*) 5-12-55

2. (Sd.) R. J. REGO,
Secretary to Government,
Revenue Department.
5-12-55

3. (Sd.) G. N. NAGARAJA RAO,
Revenue Commissioner.
6-1-55

4. (Sd.) N. MADHAVA RAO,
Financial Secretary.
8-12-55

5. (Sd.) H. ANANTHACHAR,
Chief Engineer of Mysore.
13-12-55

6. (Sd.) T. RAMASWAMY IYENGAR,
Special Chief Engineer.
22-12-55

H. SEETHARAMAIAH,
Secretary,
Committee for consideration of water rate and contribution.
27-12-55

Subject: *File No.*

WD 01050—GPB—8,00,000 13-

1) The proposal is whether the water rate levied in V.C. area for sugarcane cultivation could be revised so as to levy the rates laid down in G.O.No.PWD.934-41 Ina 10-56-1 dated 11.5.1956. In this connection Tahsildars have been addressed by the Dy. Commissioner to book the difference of water rate from 1956-57 and they have stated that the Tahsildars have felt that the imposition of higher water rate contravenes the terms of the agreement execut by the ryots and therefore it requires statutory authori It is also seen from the copy of the letter dated 15.1.5 of the Dy.Commissioner, Mandya addressed to Divisional Commissioner, Mysore, forwarded by the Director, Anti-Corruption, Bangalore, that the Dy.Commissioner also has sought some clarification as regards the period when wat rate could be revised and at what rate.

2) The water rate in the V.C. area has been levied in accordance with G.O. dated 23.7.1932 according to whi the rate goes on increasing from Rs.4/- during the first year to Rs.10 in the 4th, 5th and 6th years and therefor Govt. could increase the water rate by 25% during the next 10 years. Thereafter, Govt. could revise the wate rate at intervals of not less than 10 years. However according to sub section 3 of section 29 of the Mysore Irrigation Act 1965, the water rate shall be liable for revision after the expiry of a period of 10 years and thereafter at intervals of not less than 15 years. Now the point for consideration is whether the rate in respect of sugarcane in V.C. area could be revised

in accordance with the G.O. of 1956 irrespective of what has been laid down in G.O.of 1932, in accordance with which the Mutchalika has been executed or in accordance with the Irrigation Act 1932.

3) If the K.R.Sagar area has been notified under section of the Irrigation Act 1932 the provisions of sub-section 3 of section 29 of the Act could very well be applied and the water rates revised accordingly. However, if the Irrigation Act applies it is necessary to amend the section as was suggested by the committee constituted for examining the scales of water rate in respect of Irrigation work in Mysore State. If the K.R.Sagar has not been notified as an Irrigation work under the provision of section 2 of Irrigation Act then the provisions of the G.O. of 1956 could be enforced as it will only have the effect of superseding the earlier order of 1932 and coming under the purview of section 53 of the L.R. Code.

4) When the File was referred to L.D. the L.D. have requested P.W.D. to state whether the Mysore Irrigation Act was applied to the area in question by notification issued under Section 2 of the said Act. The Executive Engineer, V.C.Dn. the Superintending Engineer, Mysore Circle and C.E.(IP) was addressed in the matter. They have reported to Govt. that they have no information on this point. Again the File was referred to L.D. to advise whether the provisions of the G.O. dated 11-5-66 would be enforced in respect of K.R.Sagar area.

5) The L.D. has furnished their remarks stating that prima facie it appears that the water rates is to be levied according to Mutchalika taken in this behalf. It appears that the said Mutchalikas were taken in pursuance of the G.O. in order to bind those who agreed to the levy of such rates. So unless the Govt. has power to revise the rates as against the said agreement the revision can only be in pursuance of the Agreement. The G.O. of 1956 cannot be supersede the contracted rates. The power to revise the said rates can only be by a statute. In the circumstances L.D. has returned the file to P.W.D. to further examine the case as the L.D. is not in a position to state whe the provisions of the Irrigation Act of 1932 were made applicable to the area in question.

6) It may be pointed out that by Govt. notification dated 25.7.1933 the provisionsof the Irrigation Act hav been applied to the area in question. In view of this notification it appears that the water rate can be revi under the provisions of section 29 (3) of the Irrigatio In that case the question of enforcing the provisions G.O. dated 1956 cannot arise.

L.D. may kindly advise in the matter.

Subject:- Booking of Water Rate and Contribution.

1. The Director, Efficiency Audit and Anti Corruption reported in April 1960 that under the V.C. Canal area an additional demand could be raised. According to him as per G.O. No. PWA 934-41-IRN-10-56-1 dated 11-5-1956 in respect of works costing Rs.5/- lakhs and above a water rate of Rs.15 to 25 per acre can be charged for the sugarcane crops. Though the Tahasildars were asked by the Deputy Commissioner, Mandya to book the difference between this rate and the present rate of Rs.10/- per acre for all crops as was being levied, none of them have booked the demand. Some of them have even addressed the Deputy Commissioner, Mandya, for clarification. They have argued that the imposition of a higher rate requires statutory authority and may contravene the terms of agreement as in the Mutchalikas executed.

2. It is seen from the Mutchalikas that the water rate in the V.C. Area has been levied in accordance with the Govt. Order dated 23rd February 1932 and the rate was on increasing from Rs.4/- during the first year to Rs.10/- in the 4th, 5th and 6th year, and thereafter the Govt. could increase the water rate by 25 per cent during the next 10 years. Thereafter, the Govt. could revise the water rate at intervals of not less than 10 years. The Irrigation Act of 1932 has been made applicable to V.C. Area as per Notification No.R-428-LR-131-32-5 dated 25-7-33 According to the Section 29, Sub-Section 3 of the Irrigation Act, 1932, the water rate shall be liable to revision after the expiry of the period of 10 years, and thereafter at intervals of

3 The Law Department to whom this issue was referred had opined as follows:-

"Primafacie it appears that the water rate is to be levied according to the Mutchalika taken in this behalf. It appears that the said Mutchalika were taken in pursuance of the Govt. Order in order to bind those who agreed to the levy of such rates. So, unless the Govt. has power to revise the rates as against the said agreement, the revision can only be in pursuance of the agreement. A Govt. Order of 1956 cannot supersede the contracted rates. The power to revise the said rates can only be by a statute.

4. The Law Department had further desired to know if the ~~the~~ provisions of the Irrigation Act of 1932 were made applicable to this area. This aspect is now clarified in the Para 2. above.

5. Therefore, the Law Dept. is requested to furnish its opinion as to whether the water rates can be revised now with effect from 1956-57 as suggested by the Director, Efficiency Audit and Anti Corruption and whether this enhanced rates could be at Rs.15 - 25 per acre as provided in the Govt.-Order No. PWA 934-41-IRN-10-56-1, dated 11th May 1956.

Subject:- Booking of Water Rate and Contribution.

1. The Director, Efficiency Audit and Anti Corruption reported in April 1960 that under the V.C. Canal area an additional demand could be raised. According to him as per G.O. No. PWA 934-41-IRN-10-56-1 dated 11-5-1956 in respect of works costing Rs.5/- lakhs and above a water rate of Rs.15 to 25 per acre can be charged for the sugarcane crops. Though the Tahasildars were asked by the Deputy Commissioner, Mandya to book the difference between this rate and the present rate of Rs.10/- per acre for all crops as was being levied, none of them have booked the demand. Some of them have even addressed the Deputy Commissioner, Mandya, for clarification. They have argued that the imposition of a higher rate requires statutory authority and may contraver the terms of agreement as in the Mutchalikas executed.

2. It is seen from the Mutchalikas that the water rate in the V.C. Area has been levied in accordance with the Govt. Order dated 23rd February 1932 and the rate was on increasing from Rs.4/- during the first year to Rs.10/- in the 4th, 5th and 6th year, and thereafter the Govt. could increase the water rate by 25 per cent during the next 10 years. Thereafter, the Govt. could revise the water rate at intervals of not less than 10 years. The Irrigation Act of 1932 has been made applicable to V.C. Area as per Notification No.R-428-LR-131-32-5 dated 25-7-33 According to the Section 29, Sub-Section 3 of the Irrigation Act, 1932, the water rate shall be liable to revision after the expiry of the period of 10 years, and thereafter at intervals of

p.t.o.

1]

SUBJECT ..... Levy of Water rate in V.C Canal Division ...
.. Area .... in .. Irrigation Cane .....
.....

Ref: Govt Letter PWD [illegible] dt/ 11-5-56

Diary No. of letter replied to..... .....

Mysore Government Secretariat.

( )

the 196 .

Date of issue.....

Signed by.....

List of enclosures.....

Copied by .....

Examined by.....

Section

File No.

Serial No.

No. PWD 86 MKS 62

To

The D.C Mandya

Sir,

I am directed to state that the ~~Govt~~ Irrigation Act 1931 has been made applicable to K.R. Sagar ~~Anicut~~ by ~~the~~ notification No. R.427/LR 131-31-5 dated 25/7/1933 and ~~the~~ as per Sh. Nagan Gowda Committee report the water rates as approved by Govt in G.O No PWD. 934-41/IRM10-56-1 dated 11-5-56, enhanced water rates had to be levied from the dates of the Govt order upto the date of the present water rates came into force ie from 1-7-1963 on account of K.R. Sagar

I am therefore to request you kindly to ~~ascertain~~ arrange and intimate [illegible] that Wate

have been devised under the R.S.A.
from time to time till 1-7-65

yours faithfully

Lt. & Govt
Dr. PWD(T).
3/11

GOVERNMENT OF MYSORE

No. PWD 86 MKS 62

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore, ...9.-11-1966.

FROM

Secretary to the Government of Mysore,
PUBLIC WORKS & ELEC.DEPARTMENT.

The Deputy Commissioner,
MANDYA.

Sir,

Sub: Levy of water rate in V.C.canal Division area on Sugar Cane.

Ref: Govt. letter PWD 14 GIG 60 dt.11.5.66.

I am directed to state that the Irrigation Act 1932 has been made applicable to K.R.Sagar by Notification No.R.428/LR 131-32-5 dated 25.7.1933 and as per Dr.Nagan Gowda Committee report the water rates as approved by Goverament in G.O.No.PWD 934-41/IRM10-56-1 dated 11.5.56, enhanced water rates ~~levied~~ levied to be from the date of the Government Order upto the date the present water rates came into force ie., from 1.7.1965 for the areas under K.R.Sagar.

I am therefore to request you kindly to intimate urgently what water rates have been ~~levied~~ levied under K.R.Sagar from time to time till 1.7.1965.

Yours faithfully,

(S.K.MOHAN),
Under Secretary to Governmen
P.W.Department (Technical).

No.IRK2 PR 89/66-67 Dt. 14-8-1967

(92)

O. No.....
Petition Pet. No.....
pp. No.....
} 19 —19

No. No..... Enclosure.....
Dated..... Approved on.....
Copied on..... by.....
Examined on ..... by.....
Signed on..... Despatched on.....
Entered in
Current
Petition
Appeal
Periodical
} Registered on.....
by.....
Reminded on.....

WD 9334GPD-10,000 pads of 100 sheets each—

OFFICE OF THE
DEPUTY COMMISSIONER,
MANDYA DISTRICT. MANDYA

DRAFT

To

The Secretary to Government,
Public Works & Electricity Dept.
BANGALORE.

Docket Abstract

Sub: Levy of water rate in V.C. area on sugarcane.

Ref: Your letter No. PWD 86 MKS 62 dated 9-11-66 and subsequent reminders.

3067/2026

17 AUG 1967

P.W.D. (RECEIPT &

Sir,

Adverting to the above, I write to state that reports were called for from the Assistant Commissioners of Mandya and Pandavapura Sub Divisions and the Tahsildars in the District regarding the rate of water rate levied on the atchkat coming under K.R.Sagar from time to time till 1-7-1965 with reference to Dr.Nagan Gowda Committee report approved by Government in their order No. PWD 934-41/IRM 10-56-1 dated 11-5-56.

It is reported that the water rates as approved in the above Government Order could not be levied due to the reason that specifi rate was not proposed between Rs.15/- to 25/- and that in the meanwhile the question of revision of water rates by issue of The Mysore Irrigation (Levy of Betterment Contribution & Water rate Act, 1957 was taken up by Government.

However the following rates of water rate were being booked prior to 1-7-1965 including on the fallow lands.

Rs.10/- per acre for A atchkat.
Rs. 2/- -do- B -do- (old wet lands).
Rs. 8/- -do- C -do- (extended channels).

The above rates are exclusive of Land Revenue, wet assessment and cesses. In addition to this, additional water rate of Rs.2-50 p for sugarcane crop is being levied and collected with effect from the year 1956-57. This is for favour of information of Government

Yours faithfully,

(K.T.KEMPEGOWDA),
for Deputy Commissioner,
Mandya District.

Dft. appd. by D.C.)

No PHD 8 i MRS 62

To

All the Divisional Commissioners

Sir,

Sub:- Levy and recovery of Water rate

I am directed to request you to forward a report indicating as to whether the water rates as prescribed in the Mysore Irrigation (Levy of Water Rates) Rules, 1965 are being collected under the projects in your Jurisdiction of the year for which water rate is being collected, amount outstanding may be sent for information of Govt.

Yours faithfully,

for Under Secretary to Govt
Dept of PWD (ALC)

It has been brought to the notice of Govt that in the case Irrigation projects the Depts had executed a number of petty works which could be paid by them. The funds spent in the works could be increased only as per terms of the estimates. It may therefore be intimated if the beneficiaries have executed any such works in the case of their projects

GOVERNMENT OF MYSORE

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore,....17th June 196 8

FROM

The *Secretary to the Government of Mysore*
Public Works & Electricity Department.

To

All the Divisional Commissioners.

Sirs,

Subi Levy and recovery of Water rate.

I am directed to request you to forward a report indicating as to whether the water rate as prescribed in the Mysore Irrigation (Levy of Water Rates)Rules 1965 are being collected under the ... in your jurisdiction. The year from which water rate is being collected, amount outstanding may be sent for information of Government.

It has been brought to the notice of Government that in the case of Krishnarajasagar the ryots had executed a mutchalika specifying the water rate that could be paid by them. The rate agreed to in the mutchalika could be increased only as per terms of the mutchalika. It may therefore be intimated if the beneficiaries have executed any such mutchalikas in the case of other projects.

Yours faithfully,

(S.K.MOHAN)
UNDER SECRETARY TO GOVERNMENT,
PUBLIC WORKS & ELECTRICITY DEPTT.

NO .

Issued
Dated 18/6/68

No.IRR.II.33-c 2193/70.71 Office of the Divisional Commr.,
B'lore Dvn., B'lore Dt:17-7-1970.

To

The Secretary to Government,
Revenue Department,
Vidhana Soudha,
BANGALORE.

Sir,

Sub: Levy and recovery of water-rate information regarding - obtaining muchalikas.

Ref:Your letter No,PWD.86.MKS.62 dated 19-6-70.

39188

I enclose a copy of the letter No.IRR.38.c.1189/70.71 dated 29-6-70 received from the Deputy Commissioner, Kolar District, on the above subject. The Deputy Commissioner's of Chitradurga and Shimoga Districts have sent incomplete reports and they have been requested to furnish replies in a complete manner. Government will be addressed on receipt of replies from the other Deputy Commissioners.

Yours faithfully,

17.7.70

For Divisional Commissioner,
Bangalore Division.

Copy of the letter No.IRR.33.C.1189/70-71 dated 29-6-70 of the Deputy Commissioner, Kolar District, Kolar addressed to the Divisional Commissioner, Bangalore Dvn., Bangalore.

Sub: Levy and Recovery of water-rate information - regarding.

Ref: Your letter No.IRR.II.33c.2193/70-71 dated 24-6-70.

There are no Irrigation Projects in this District.

GOVERNMENT OF MYSORE

MYSORE ACT No. 1 OF 1932

THE MYSORE IRRIGATION ACT, 1932

(As amended by Acts VII of 1938, VII of 1952, 21 of 1954, 1 of 1956 and 28 of 1957).

THE MYSORE IRRIGATION ACT, 1932.

Arrangement of Sections.

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   (2) New Irrigation Work.
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MYSORE ACT No. I OF 1932.

THE MYSORE IRRIGATION ACT, 1932.

(As amended by Acts VII of 1938, VII of 1952, 21 of 1954 1 of 1956 and 28 of 1957).

(Received the assent of His Highness the Maharaja on the Eleventh day of July 1932).

WHEREAS it is expedient to make adequate provision for the proper regulation and control of the supply of water from irrigation works, for the regulation of customary labour and for certain other matters pertaining to irrigation; it is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

1. [1](1)[2][**Short title and extent**].—This Act may be called the Mysore Irrigation Act, 1932.

[3][(2) It extends to the whole of the [4](Mysore Area)].

2. [2][**Application**].—The Government may, by notification in the Official Gazette, [2][apply this Act,] or any portion thereof, to any local area or to any irrigation work or class of irrigation works, and may also by a like notification subsequently exclude any portion of such local area or any such irrigation work or class of irrigation works from the operation of this Act, from such date as may be specified therein.

All existing Acts, rules, orders or usages having the force of law in so far as they are inconsistent with any of the provisions of this Act and the rules made thereunder in the areas and with respect to the irrigation works or classes of irrigation works to which this Act [2][is applied] are repealed to the extent to which they are so inconsistent :

1. Renumbered by Act 21 of 1954.
2. Substituted by Act 21 of 1954.
3. Added by Act 21 of 1954.
4. See the Mysore Adaptation of Laws Order, 1956.

Provided that nothing herein contained shall be deemed o affect any acts done or liabilities incurred under the said ıcts, rules, orders or usages having the force of law.

[1][**2-A. Repeal and savings.**—(1) On the date of ıpplication of this Act or any portion thereof to any local ırea or to any irrigation work or class of irrigation works in 3ellary District by a notification under section 2, such of he Acts specified hereunder or any portion thereof and the ules and orders made thereunder as in force in Bellary District, as are specified in the said notification shall, in espect of that area or any irrigation works or class of rrigation works, stand repealed :—

(1) The Madras Irrigation Cess Act, 1865 (Madras Act No. VII of 1865), (2) The Madras Irrigation (Voluntary Cess) Act, 1942 (Madras Act No. XIII of 1942), (3) The Madras Irrigation Works (Repairs, Improvement and Construction) Act, 1943 (Madras Act No. XVIII of 1943) and (4) The Madras Irrigation Tanks (Improvement) Act, 1949 (Madras Act No. XIX of 1949) :

Provided that if any of the aforesaid Acts is not specified in the notification, such Act or such portions thereof, as are inconsistent, with the provisions of this Act as applied by the said notification, shall be deemed to have been repealed :

Provided further that such repeal shall not affect—

(*a*) the previous operation of the said Acts, rules and orders, or anything duly done or suffered thereunder ;

(*b*) any right privilege, obligation or liability acquired accrued or incurred under the said Acts, rules or orders ; or

(*c*) any penalty forfeiture or punishment incurred in respect of any offence committed against the said Acts, rules and orders ; or

(*d*) any investigation, legal proceeding or remedy in respect of any such right, privilege obligation, liability,

1. Inserted by Act 21 of 1954.

forfeiture or punishment as aforesaid, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act or any portion thereof had not come into force.

[(2) Any rule or order for the fixation of the rates and other incidents of any tax to be made under this Act on its application to any works connected with the utilisation of the waters of the Tungabhadra Project, shall be made only after the previous consent of the President of India has been obtained to the making of such rule or order.]

3. Definitions.—In this Act, unless there is anything repugnant in the subject or context :—

(1) "Irrigation Work" includes—

'*Irrigation work*'.—(*a*) all reservoirs, tanks, anicuts, canals, channels *thalapariges* and pipes constructed, maintained or controlled wholly or mainly by the Government for the supply or storage of water;

(*b*) all works, embankments, structures, supply and escape channels, connected with such reservoirs, tanks, anicuts, canals, channels, *thalapariges* or pipes and all roads constructed for the purpose of facilitating the construction or maintenance of such reservoirs, tanks, anicuts, channels, *thalapariges* or pipes;

(*c*) all water courses and drainage works as hereinafter defined;

(*d*) all lands occupied by the Government for the purposes of such reservoirs, tanks, anicuts, channels, *talapariges*, pipes and all buildings, machinery, fences, gates and other erections, occupied by or belonging to the Government upon such lands.

'*New Irrigation Work*'.—"New Irrigation work" means any work of irrigation as defined in clause (1), constructed or completed after this Act comes into force and includes extensions of irrigation works made after this Act comes into force.

'*Water Course*'.—"Water Course" *(hikkal)* means a channel or pipe which is supplied with water from irrigation work, but which is not maintained at the cost the Government, and includes all subsidiary works connec with any such channel or pipe except the sluice or out through which water is supplied to such channel or pipe

'*Drainage Work*'.—(4) "Drainage Work" includ channels, either natural or artificial, for the discharge waste or surplus water, and all works connected with auxiliary to such channels and escape channels from irrigation work, dams, weirs, embankments, sluices, gro and all works for the protection of lands from flood or fr erosion formed or maintained by the Government eitl wholly or in part ;

[1][(4-A) 'Chief Engineer' means the Chief Engineer the Government in charge of the Public Works Depa ment ;]

'*Deputy Commissioner*'.—(5) "Deputy Commissione includes any officer appointed by the Government exercise all or any of the powers of a Deputy Commissio under this Act :

[1][(5-A) 'Canal Officer" means an Officer appointed the Government to exercise all or any of the powers o Canal Officer in respect of any canal area notified in t behalf by the Government in the *Mysore Gazette* ;]

'*Irrigation Officer*'.—(6) "Irrigation Officer" mea any officer not below the rank of an Assistant Commissio or an Assistant Engineer appointed by the Government exercise all or any of the functions of an Irrigation Offi under this Act ;

[2]['*Tahsildar*'].—(7) [2]["Tahsildar"] includes a Depu [Tahsildar] :

'*Owner*'.—(8) "Owner" includes every person havi an interest in the ownership of thing specified :

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1. Inserted by Act VII of 1952.
2. See the Mysore Adaptation of Laws (Second Amendment) Order, 1957.

'*Occupier*'.—(9) "Occupier" means, in respect of any land any person who has an interest in the land and cultivates the land himself or by his servants, or by hired labour and includes a tenant:

'*Magistrate*'.—(10) "Magistrate" means a Magistrate of the first or second class and includes a Magistrate of the third class specially empowered by the Government to try offences under this Act;

[1][(11) 'Government' means the State Government;

(12) 'prescribed' means prescribed by rules made by the Government under this Act.]

4. Appointment of Officers.—The Government or subject to such rules as may be made under this Act, any officer whom the Government empowers in this behalf, may declare by notification in the Official Gazette, the officers by whom and the local limits within which all or any of the powers or duties hereinafter conferred or imposed on the Deputy Commissioner, [2][the Canal Officer] and the Irrigation Officer, shall be exercised or performed.

CHAPTER II.

OF THE CONTROL OF WATER AND OF IRRIGATION WORKS.

5. Power to enter upon land for purposes of inspection, etc.—Any Irrigation Officer appointed in this behalf and any person acting under the general or special orders of such [3][Canal Officer or Irrigation Officer] may enter upon any land, building or water course, for the purpose of inspecting or regulating the use of water, of measuring the land irrigated thereby, and of doing anything necessary for the proper regulation, maintenance and management of any irrigation work.

6. Powers for repairing or preventing damage to an irrigation work.—On any damage happening or being apprehended to any irrigation work or in any other emergency, any [1][Canal Officer or Irrigation Officer] and any person acting under his general or special orders in this behalf, may at any time enter upon any lands adjacent to, or in the neighbourhood of, any irrigation work, and may repair any existing work, construct any new work, or take and utilise any material and take any measure or do anything that may, in his opinion, be necessary to prevent such accident or to save loss or damage to any property or to repair any damage done.

7. Notice of intended entry on private property to be given in certain cases.—When [1][a Canal Officer or an Irrigation Officer] or any person acting under his general or special orders in this behalf, proposes under the provisions of section 5 or section 6 to enter into any building or enclosed court or garden attached to a dwelling house into which water does not flow from any irrigation work, he shall previously give to the occupier of such building, court or garden, such reasonable notice as the urgency of the case may allow. Such notice shall be in writing except in a case of emergency.

CHAPTER III.

OF WATER COURSES.

8. Construction, extension, improvement or alteration of a water course on the application of person interested.—(1) Any person desiring the construction, extension, improvement or alteration of a water course may apply in writing to the Irrigation Officer, and the said officer may, after giving such notice and causing such enquiries as may be prescribed by rules framed by the Government for the purpose, either permit the applicant to construct, extend, improve or alte

[illegible] water course or, if the applicant so desires, have constructed, extended, improved or altered throu Government agency on such terms and conditions as regar payment of costs, mode of execution and time of comp tion, facilities to be afforded by the applicant to safegua other interests or to benefit other lands whose owners m apply for the same, and other matters as may be relevant each case, or may reject the application.

From the order of the Irrigation Officer an app shall lie within thirty days from the date of the service the said order, to the Deputy Commissioner [1]and from decision, a second appeal shall lie within ninety days fr the date of service of such appellate order to the [2][Ch Engineer] whose decision thereon shall be final.

(2) If it is necessary to acquire any land for t purposes of sub-section (1) the Deputy Commissioner m proceed to acquire the same under the provisions of [3][Mysore Land Acquisition Act, 1894.][4]

Explanation.—Notwithstanding anything contain in the *proviso* to section 6 (1) of [3][the Mysore Land Acq sition Act, 1894,][4] the acquisition of any land under sub-s tion (2) shall be deemed to be for a public purpose.

9. No alteration of water course except with consent Irrigation Officer.—No water course constructed, extend improved, or altered under the provisions of section 8 sl be altered without the consent of the Irrigation Officer.

10. Obligations of owners of land receiving supply fr water course.—Every owner or occupier of land wh receives a supply of water from a water course shall bound—

(*a*) to maintain such water course in a fit state repair;

1. The words "of the district" [illegible] mitted by Act VII of 1952.
2. Substituted by Act VII of 1952.
3. Substituted by Act 1 of 1956.
4. [illegible]

(*b*) to allow the use of it to any person entitled to the same by reason of an order passed under section 8 or otherwise.

11. Enforcement of said obligations.—(1) If any owner or occupier of land which receives a supply of water from a water course fails to fulfil any obligation imposed on him by sub-clause (*a*) of section 10, the Irrigation Officer may require him by notice to execute the necessary work or repair within such period not less than five days from the date of service of notice, as may be prescribed therein, and in case of his default, may execute the same on his behalf.

(2) The expenses incurred by Irrigation Officer on any work or repair under sub-section (1) shall be recoverable from the defaulter as an arrear of land revenue.

12. Settlement of disputes concerning water-courses.—Whenever a dispute arises between two or more persons in regard to their mutual rights or liabilities in respect of the use, construction or maintenance of a water course, or among joint owners of a water course as to their respective shares of the expense of constructing or maintaining such water course or as to the amount severally contributed by them towards such expense or as to failure on the part of any owner to contribute his share, any person interested in the matter of such dispute may apply in writing to the Irrigation Officer stating the matter in dispute.

Such officer shall thereupon proceed to make a summary enquiry into the matter in the manner prescribed in the Mysore Land Revenue Code, 1888, and pass his decision thereon.

From the decision of the Irrigation Officer an appeal shall lie within thirty days from the date of the service of the said decision to the Deputy Commissioner [1]whose order thereon shall remain in force, until set aside by a decree of a Civil Court

CHAPTER IV.

REGULATION OF IRRIGATION.

13. Regulation of water supply from irrigation works.— (1) The Deputy Commissioner[1] [2] [or the Canal Officer] may regulate in respect of any irrigation work for each year or for a specified term of years at a time, as circumstances may require,

(i) the time for letting out water for irrigation,

(ii) the period of the supply, and

(iii) the quantity of the supply,

after holding such enquiry as may be provided for by rules framed by the Government.

[2][(2) From the order of a Deputy Commissioner or a Canal Officer under sub-section (1), an appeal shall lie to the Chief Engineer within ninety days from the date of such order].

14. Supply of water from a new irrigation work.—(1) Every person desiring the supply of water from a new irrigation work shall submit a written application to that effect to the Irrigation Officer in such form as may be prescribed by the Government.

If the supply of water is desired for irrigation, it may be granted for such period and on such terms as may be prescribed by rules framed by the Government.

(2) Notwithstanding anything contained in sub-section (1), the rates leviable for the supply of water for irrigation from a new irrigation work constructed at an outlay of less than one lakh of rupees and not falling under *Chapter VI* of this Act shall be fixed in conformity with the provisions of the Mysore Land Revenue Code, 1888, and the rules thereunder.

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1. The words " of the district " omitted by Act VII of 1952.
2. Substituted by Act VII of 1952.
3. Repealed by Act 28 of 1957.

Provided that when such work is itself an extension of a new irrigation work constructed at a cost of not less than one lakh of rupees, the provisions of sub-section (1) shall apply irrespective of the cost of the work.

(3) If the application is for the supply of water for purposes other than those of irrigation, the Irrigation Officer may, with the sanction of the Government, permit water to be taken for such purposes subject to such special conditions and restrictions as the Government may impose in each case.

15. Supply of water not to be stopped except under certain circumstances.—The supply of water to any water course or to any person who is entitled to such supply shall not be stopped except in the circumstances and subject to the limitations specified below, namely,

(*a*) whenever and so long as it is necessary to stop such supply—

(*i*) for the purpose of executing any work ordered by competent authority; or

(*ii*) in order to supply in rotation the legitimate demand of other persons entitled to water;

(*b*) whenever and so long as any water course by which such supply is received is not maintained in such repair as to prevent the wasteful escape of water therefrom;

(*c*) whenever and so long as it may be necessary to do so in order to prevent the wastage or misuse of water;

(*d*) within the periods fixed from time to time by an Irrigation Officer acting under section 16, of which reasonable notice shall be given.

16. Power of Irrigation Officer to determine the irrigable area and grant remission of assessment.—(1) [1][Subject to the provisions of section 16-A, an Irrigation Officer] specially empowered by the Government, in this behalf, may in any

ear, having regard to the quantity of water available in ny irrigation work under his control determine the portion f the wet lands in the irrigable area of such irrigation work o be cultivated with [1][paddy, sugar-cane, or any perennial rop or intermittent irrigated dry crops] or with dry or emi-dry crops, and regulate the supply of water for rrigation accordingly.

(2) If, in accordance with a decision of Irrigation)fficer under sub-section (1) any land assessed as wet is iot supplied with water for raising wet crops, the holder of such land shall be entitled to remission of one-half of the assessment of such land.

From the order of the Irrigation Officer under this section, an appeal shall lie within thirty days from the date of the service of the said order, to the Deputy Commissioner[2] and from his decision a second appeal shall lie within ninety days from the date of the service of such appellate order to the[3] Revenue Commissioner whose decision shall be final.

[4] **[16-A. Power to prescribe the kind of crop to be grown under an irrigable area and the period of sowing such crop.**— (1) An Officer, not below the rank of an Executive Engineer authorised by the Government in this behalf, may, in consultation with the Deputy Commissioner or the Canal Officer and the Irrigation Panchayet or Irrigation Board, if any, having jurisdiction over the irrigable area in which the land is situated, specify, by notification published in such manner as may be prescribed, the kind of crop that shall be grown on any land under any irrigation work, and period of sowing and planting such crop.

(2) On the publication of a notification under sub-section (1), no person shall grow or allow any crop other than the crop specified in such notification to be grown on

any land under such irrigation work and no person sha sow or plant or allow the sowing or planting of crop at ar time other than during the period specified in such noti cation.]

17. Right to supply of water passes with the proper entitled to the supply.—(1) All rights to the supply of wat from an irrigation work to any land, building or oth immovable property shall be presumed to have passed t the transferee with the transfer of such land, building other immovable property whenever such a transfer ha been effected.

(2) No person entitled to the use of any irrigatio work or land appertaining to any irrigation work or to us the water of any irrigation work shall sell or sub-let otherwise transfer his right to such use without the per mission of the Irrigation Officer duly empowered to gran such permission except when such right is transferre with the land, building or other immovable property havin such right.

[1][**17-A Acquisition of land to ensure supply of water.**— If it is necessary to acquire any land for the purposes c this Chapter, an officer not below the rank of an Assistan Commissioner specially empowered by the Government i this behalf, may proceed to acquire the same under th provisions of the Mysore Land Acquisition Act, 1894.][2]

CHAPTER V.

OF THE AWARD OF COMPENSATION.

18. Compensation awardable for damage.—Compensa tion may be awarded in respect of any substantial damag caused by the exercise of any of the powers conferred b this Act, which is capable of being ascertained at the tim of awarding such compensation:

1. Inserted by Act VII of 1952.
2. See now Mysore Act 17 of 1961.

Provided that no compensation shall be so awar respect of any damage arising from—

(*a*) deterioration of climate or soil;

(*b*) stoppage of navigation or of the means of float timber or of watering cattle; or

(*c*) stoppage or diminution of the supply of water any river or stream flowing in a natural chan or of any lake or natural collection of still wa by the application of such supply for the pu poses of a new irrigation work or otherwi except in so far as a right to the use of su supply may be established; or

(*d*) failure or stoppage of the water in a chann when such failure or stoppage is due to,

(1) any cause beyond the control of Government,

(2) the execution of any repairs, alterations additions to the channel, or

(3) any measures considered necessary by any Irrig tion Officer duly empowered in this behalf f regulating the proper flow of water in t channel, or for maintaining the establish course of irrigation, or under section 15;

Remission of water-rates when allowable.—But an person who suffers loss from any stoppage or diminutio of his water-supply due to any of the causes named i clause (*d*) of the proviso under this section, shall be entitle to such remission of the water-rate payable by him as ma be authorised by the Government.

19. Limitation of claims.—No claim for compensatio under this Act for any damage shall be entertained afte the expiration of one year from the time when the damag complained of commenced, unless the Deputy Commissione is satisfied that the claimant had sufficient cause for no making the claim within such period.

20. Compensation for damage caused by entry on land etc.—In every case of entry upon any land or building or the utilisation of materials under sections 5 and 6, the Irrigation Officer or the person making the entry shall ascertain and record the extent of the damage, if any, caused by the entry, or in the execution of any work, to any crop, tree, building or other property, and the value of the materials taken or utilised,

and within one month from the date of such entry compensation shall be tendered by the Irrigation Officer to the landholder or owner of the property.

21. Enquiry as to compensation.—If such tender is not accepted the Irrigation Officer shall forthwith refer the matter to the Deputy Commissioner for the purpose of making enquiry as to the amount of compensation and deciding the same.

22. Claims to be preferred to the Deputy Commissioner.—All claims for compensation under this Act other than claims of the nature provided for in section 20, shall be made to the Deputy Commissioner having jurisdiction over the local area wherein the land or part thereof in respect of which damage is alleged to have been caused is situate.

Deputy Commissioner to determine the amount of compensation.—The Deputy Commissioner shall enquire into all such claims and determine the amount of compensation, if any, which should be awarded.

23. Appeal.—An appeal shall lie to the Revenue Commissioner[2] from the decision of the Deputy Commissioner under either of the two preceding sections as to the amount of compensation to be awarded within ninety days from the date of such decision, and the decision of the [1]Revenue Commissioner thereon shall be final.

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1. Substituted by Act VII of 1952.
2. May be construed as a reference to the Divisional Commissioner vide, paragraph 6 (2) (b) of the Mysore Adaptation of Laws order, 1956.

24. **Compensation when due.**—All sums of money payable for compensation awarded under this chapter shall become due three months after the final award has been made;

and simple interest at the rate of six per cent per annum shall be allowed on any such sum remaining unpaid after the said three months, except when the non-payment of such sum is caused by the neglect or refusal of the claimant to apply for or receive the same.

HAPTER VI[1]

(Sections 25 to 30)

CHAPTER VI-A.[2]

OF THE MAINTENANCE OF MINOR IRRGATION WORKS.

30-A. Interpretation of 'minor irrigation works' and 'order'.—In this Chapter,—

(*i*) "minor irrigation works" means such irrigation works as the Government may, from time to time, by notification. in the *Mysore Gazette*, declare to be minor irrgation works for the purposes of this Chapter; and

(*ii*) "order" means an order published in the *Mysore Gazette*.

30-B. Declaration in respect of maintenance of minor irrigation works by Government.—(1) If the Government considers that in the interest of the proper irrigation of lands in any area, the work of maintenance in a fit state of repair of minor irrigation works in such area should be undertaken by the Government and the cost of such maintenance or any part thereof recovered from the holders of lands in the area benefited by such minor irrigation works

1. Repealed by Act 28 of 1957.
2. Chapter VI-A inserted by Act VII of 1952.

(hereinafter in this Chapter called the benefited area), the Government shall make a declaration to that effect.

(2) The declaration under sub-section (1) shall be published in the *Mysore Gazette* in English and Kannada and in such other manner as may be prescribed.

30-C. Consequences of the making of the declaration under Section 30-B.—(1) On the making of a declaration under sub-section (1) of Section 30-B, the Government shall maintain in a fit state of repair such minor irrigation works and every holder of lands in the benefited area, shall pay to the Government an acreage contribution at such rates, not exceeding three rupees per acre per annum, as the Government may, by order, determine.

(2) Every order made under sub-section (1) shall be laid before the Mysore Legislative Assembly as soon as may be after it is made, and shall be subject to such modifications as the said Legislative Assembly may make on a motion made within seven days from the date on which the order is so laid.

30-D. Levy of contribution on lands within the benefited area.—When the Government undertakes the maintenance of any irrigation work under sub-section (1) of Section 30-C the Deputy Commissioner of the District shall, subject to such rules as may be prescribed in this behalf, levy from holders of lands within the benefited area in addition to the assessment fixed under the provisions of Section 112 of the Mysore Land Revenue Code, 1888, acreage contribution per annum at the rates determined under Section 30-C. Such contribution shall be recoverable as a revenue demand.

CHAPTER VII.

Of Obtaining labour in Emergencies.

31. Impressment of labour for urgent works of repair, etc.—(1) Whenever it appears to an Irrigation Officer, or

in his absence the [1][Tahsildar] of the taluk unless some work or repair is immediately executed, an irrigation work would sustain such serious damage as to cause sudden and extensive public iniury,

or that unless some celarance, of an irrigation work which is necessary in order to maintain the established course of irrigation or drainge is immediately executed, serious public loss would occur,

and that the labourers necessary for the proper execution of such work, repair or clearance cannot be obtained in the ordinary manner in time to prevent such injury or loss,

it shall be lawful for such officer to require the patel or patels of the village or villages in the vicinity to call upon all or any of the able-bodied male persons who reside or hold land in or near the locality where such work, repair or clearance has to be executed to assist in the execution of the same by their labour, as such officer, or other person authorised by him in this behalf may direct.

[2] [(1-A) In calling upon the able-bodied male persons to assist in the execution of any work by their labour under sub-section (1), no discrimination shall be made on grounds only of religion, race, caste or class or any of them.]

(2) Every person so authorised shall be deemed to be a public servant within the meaning of the Indian Penal Code.

Report to be made by Irrigation Officer.—An order made under the section shall be immediately reported to the Deputy Commissioner [3] [and the Canal Officer.]

32. Payment for labour impressed.—All persons labouring or detained for the purpose of labouring by day in compliance with a requisition made under Section 31 shall, as soon as may be reasonably practicable and in any case within

1. See the Mysore Adaptation of Laws (Second Amendment) Order, 1957
2. Inserted by the Act VII of 1962.
3. Added by Act VII of 1962.

fifteen days from the date of such impressment, be paid by the Irrigation Officer or the [1][Tahsildar] as the case may be, for their labour and detention at twenty-five per cent in excess of the rates for the time being prevailing in the neighbourhood. If the persons are required to work or are detained at night, they shall be paid at double such rates.

33. Appeals against orders under Section 32.—Any person who does not accept the amount tendered in payment under Section 32, may appeal within thirty days from the date of such tender, to the Deputy Commissioner, whose decision shall be final.

CHAPTER VIII

Of Customary Labour.

34. Works for which customary labour is enforceable.—The provisions of this chapter shall apply to tanks, river and spring channels, feeder channels connected with tanks, and other irrigation works which have been brought up to standard and handed over to the raiyats for upkeep.

[2][**34-A.** For the purposes of this chapter, an irrigation work includes such work in an inam village, though it is not constructed, maintained or controlled wholly or mainly by Government.]

35. Nature of and person liable to perform customary labour and the levy of cash contribution in lieu of labour.—(1) Every occupier of land, irrigated or served by any irrigation work, as well as the inhabitants of the village or villages and all others who derive any benefit, directly or indirectly from the work, shall perform, in respect of such work, without payment, the following customary labour:—

(*a*) filling up gullies, cracks, ruts and holes in the earthwork;

(*c*) clearing such underwood as may be considered by the Irrigation Officer to be injurious;

(*d*) clearing sand or silt from sluices and branch channels and repairing the earthwork of petty and branch channels and clearing the accumulation in sluices and in all channels issuing from tanks, which obstruct the flow of water to the fields;

(*e*) maintaining the bund to the standard level and with the slopes specified;

(*f*) keeping in order the feeder channels of tanks;

(*g*) watching the bunds during rainy weather, turfing the parts acted on by the waves, helping in opening and closing the sluices, and generally performing minor duties of this nature in order to prevent breaches and other accidents.

Explanation.—All land forming part of the registered or recognised *atchkat* of an irrigation work shall be deemed to be land irrigated by this work, within the meaning of this section.

(2) The Government may, by an order, direct in respect of all or any of the aforesaid works in any locality that the customary labour to be performed under this section need not be performed either wholly or in part, or that in lieu of such labour, a contribution in cash at such rates as may be fixed under rules made in this behalf be levied from the persons bound to perform the same; provided that no such order of commutation shall be made except with the consent of two-thirds of the number of persons bound to perform such labour. Such order may, at any time, be cancelled or modified by the Government.

36. Village patel resposible for due performance of customary labour.—It shall be the duty of the patel of every

village or villages in his charge the customary labour specified in Section 35 is duly performed and the work maintained in an efficient condition.

37. Execution of work with hired labour on failure of customary labour.—If any person, who under this chapter is bound to contribute labour towards any irrigation work, neglects or refuses to do so, the patel [1][the inamdar in the case of an inam village] or other officer empowered by Government in this behalf, may get the work performed by hired labour, after giving notice by beat of drum in the villages in which the persons bound to do the work ordinarily reside or the land served by such irrigation work is situate, requiring such persons to carry out the work by a specified date and on their failure to comply with the requisition within the appointed time.

38. Determination of quantum of labour to be contributed.—The quantum of labour which each person liable under section 35 is bound to contribute, and the proportionate share of labour for each village where an irrigation work serves more than one village, shall be determined in accordance with rules framed by the Goverment in this behalf.

39. Penalty for failure to perform customary labour.—Whenever any person who is bound to contribute labour under section 35, neglects or fails to do so without sufficient and reasonable cause, the Irrigation Officer may levy from such person a sum equivalent to the value of the labour which such person is bound to contribute, and such amount shall be recoverable as an arrear of land revenue.

From the order of the Irrigation Officer, an appeal shall lie, within thirty days from the date of service of the order to the Deputy Commissioner, whose decision shall be

43. Rules to be framed regarding Irrigation Panchayets. The Government may, by rules to be framed in this behalf

(*a*) prescribe the functions of an Irrigation Panchay

(*b*) prescribe the procedure to be adopted by an Ir gation Panchayet : and

(*c*) delegate to any Irrigation Panchayet any of t powers vested in Government or in a Deputy Commissio or in an Irrigation Officer under this Act.

44. Dissolution of Panchayet.—If in the opinion of Deputy Commissioner, any Panchayet persistently ma default in the performance of the duties imposed upo by this Act or rules thereunder or exceeds or abuses powers, such Deputy Commissioner may, after giving opportunity to the members of the Panchayet to be he in their defence, order the Panchayet to be dissolved.

45. Appeals.—An appeal shall lie [to the Chief E neer] against the order of the Deputy Commissioner u section 44 and the order on such appeal shall be final.

CHAPTER X.

PENALTIES AND PROCEDURE

[**45-A. Liability when person using water unauthori cannot be indentified.**—If water supplied through a course be used in an unauthorised manner, and if the p by whose act or neglect such use has occurred, cann identified; the person or all the persons whose lands derived benefit therefrom shall be liable, or jointly liat the case may be, for such charges as the Government prescribe for such use.

45-B. Decision of questions under section 45-A.—(questions arising under section 45-A shall be deci orders, in writing, by the Irrigation Officer.

(2) From any order of the Irrigation Officer under sub-section (1), an appeal shall lie, within thirty days from the date of service of the said order on the person concerned to the Deputy Commissioner, whose decision thereon shall be final.

45-C. Charges for unauthorised use or waste of water recoverable in addition to penalties.—All charges for the unauthorised use of water under section 45-A may be recovered as water rates in addition to any penalties incurred on account of such use.

45-D Interpretation of "watercourse".—For the purposes of section 45-A, 45-B and 45-C 'water-course' includes any channel or pipe supplied with water from an irrigation work and which is maintained at the cost of the Government].

46. Offences under the Act.—Whoever voluntarily and without proper authority—

(i) damages, alters, enlarges or obstructs any irrigation work;

(ii) interferes with, increases, or diminishes the supply water in, or the flow of water from, through, over, or under any irrigation work or does any act which renders irrigation work less useful than is intended for the purpose for which it was constructed;

(iii) opens, shuts or obstructs, or attempts to open, shut or obstruct, any sluice in any irrigation work;

(iv) corrupts, or fouls the water of any irrigation work so as to render it less fit for the purpose for which it is ordinarily used;

(v) destroys, defaces or moves any land or level-mar or watergauge fixed by the authority of a public servant;

(vi) destroys, tampers with, or removes any appa ratus, or part of any apparatus, for controlling, regulatir or measuring the flow of water in any irrigation work;

(vii) causes any animal or vehicle to pass on across any of the works, banks or channels of an irrigatic

work contrary to rules made under section 56 after he has been required to desist therefrom ;

(viii) causes or permits any animal to graze or be tethered upon the bank or border of any irrigation work ;

(ix) removes or injures any tree, bush, grass or other vegetation intended for the protection of any irrigation work ;

(x) puts up a dam across or otherwise obstructs the free course of water, the right to which vests in the Government ;

[1][(x-a) contravenes the provisions of sub-section (2) of section 16-A ;]

(xi) violates any rule made under section 56, the breach whereof is declared to be an offence punishable under this section ; and whoever,

(xii) being responsible for the use and maintenance of a water course, neglects to take proper precautions for the prevention of waste of the water thereof, or interferes with the authorised distribution of the water therefrom, or uses such water in an unauthorised manner, or prevents or interferes with the lawful use of such water course by any person authorised to use the same, under section 8; shall be deemed to commit an offence under this Act and shall, on conviction before a magistrate, be punished for each such offence as is mentioned in sub-sections (i) to (vi), (x), [1][(x-a)] and (xii) of this section [2][with imprisonment for a term which may extend to two months or with fine which may extend to five hundred rupees or with both] and for each such offence as is mentioned in sub-section (vii), (viii), (ix) and (xi) [2][with imprisonment for a term which may extend to one month or with fine which may extend to fifty rupees or with both.]

47. **Penalty.**—Any person who, being duly called upon by the patel of his village to assist by his labour in the excution of any work under section 31, refuses or neglects

1 Inserted Act VII of 1952.
2 Substituted [illegible]

to comply with such call without sufficient and reasonable cause shall, on conviction before a magistrate, be punished with fine which may extend to fifty rupees.

48 Persons convicted under section 46 liable to repair the damage, etc.—When any person is convicted of an offence under section 46, the convicting magistrate may order that the said person shall remove the obstruction or repair the damage or replace or repair the land-mark, level-mark, water-gauge or apparatus in respect of which conviction has taken place within a period to be fixed in such order. If such person neglects or refuses to obey such order within the period so fixed any Irrigation Officer may carry out the work in accordance with such order and the cost thereof shall be recoverable from such person by the Deputy Commissioner as an arrear of land revenue.

49 Recovery of cost of repairing damage when the offender is unascertainable.—When the person causing any damage, alteration, enlargement or obstruction to any irrigation work without proper authority cannot, after such enquiry as the Deputy Commissioner may deem sufficient, be ascertained or identified, the Deputy-Commissioner may, on the recommendation of the Irrigation Board or the Irrigation Panchayet concerned with the work, after giving not less than one month's notice to the occupiers of all lands benefited thereby, and after hearing their representations, if any, recover from them, as an arrear of land revenue the cost of repairing such damage, or of removing such alteration, enlargement or obstruction, in such proportion as he thinks fit.

50. Punishment under other laws not barred.—Nothing herein contained shall prevent any person from being prosecuted under any other law for the time being in force for any act or omission made punishable by this Act:

Provided that no person shall be punished twice for the same act or omission.

51. Power to remove obstruction or damage to works.—Any person in charge of or employed upon any irrigation work, may remove from the lands or buildings belonging thereto, or may take into custody without a warrant, and take forthwith before a Magistrate or to the nearest police station to be dealt with according to law, any person who within his view—

(1) wilfully damages, obstructs or fouls any irrigation work, or

(2) without proper authority interferes with the supply or flow of water, in or from any irrigation work so as to endanger, damage, or render less useful any irrigation work.

52. Power of revision.—The Government or the [1]Revenue Commissioner [2][or Chief Engineer] may call for and examine the records of the proceedings under this Act of a Deputy Commissioner [2][or a Canal Officer] or any Irrigation Officer subordinate to it or him for the purpose of satisfying itself or himself as to the correctness, legality or propriety of any decision or order passed and the regularity of the proceedings of such officer.

When on examining the records of any case, the Government or the [1]Revenue Commissioner [2][or Chief Engineer] considers that the order or decision of such officer should be revised, it or he may reverse or alter such order or decision or pass such other orders as it or he may think fit. The Government alone shall be competent to revise under this section any decision or order which is declared by this Act to be final.

[2][**52-A. Offences under this Act to be cognizable.**—Notwithstanding anything contained in the Code of Criminal

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1. May be construed as a reference to the Divisional Commissioner *Vide* paragraph

Procedure, 1898 (V of 1898), all offences punishable under this Act shall be cognizable.

53. **Power to summon and examine witnesses.**—Any officer empowered under this Act to conduct any enquiry, may exercise all such powers connected with the summoning and examining the witnesses and the production of documents as are conferred on Civil Courts by [1][the Code of Civil Procedure, 1908 (Central Act V of 1908)] and every such enquiry shall be deemed a judicial proceeding.

54. **Manner of serving notices.**—Service of any notice under this Act shall be made in accordance with the provisions [1][the Code of Civil Procedure, 1908 (Central Act V of 1908)].

55. **Jurisdiction of Civil Courts barred.**—No Civil Court shall take cognizance of any suit filed in respect of any matter dealt with under the provisions of Chapter V, [2]*Chapter VI*, [3][Chapter VI-A,] Chapter VII or Chapter VIII.

56. **Power to make rules.**—(1) The Government may, after due publication, make rules not inconsistent with this Act to carry out all or any of the provisions of this Act.

(2) The rules made under this section shall be published in the Official Gazette and shall thereupon have effect as if enacted under this Act.

No. R. 2180—L.R. 131-32-17, dated Bangalore, 10th November 1934.

In exercise of the powers vested in them by Section 56 (1) of the Mysore Irrigation Act I of 1932, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules under the said Act. The rules

By Order,

S. ABDUL WAJID,
Secretary to Government
General Department

RULES UNDER THE MYSORE IRRIGATION ACT.

In exercise of the powers conferred by Section 56 (1) of the Mysore Irrigation Act No. I of 1932, the Government of His Highness the Maharaja of Mysore are pleased to issue the following rules:—

1. In all matters wherein an enquiry is required under the Irrigation Act, the Deputy Commissioner or Irrigation Officer shall, except in cases otherwise provided for in the Act follow the procedure prescribed for summary enquiries in the Land Revenue Code.

2. When an application is received under Section 8 of the Act for the construction, extension, improvement or alteration of a water course, the Irrigation Officer shall issue a notice to all persons that may be affected by such construction, extension, improvement or alteration, specifying a time within which objections must be filed. The Irrigation Officer shall enquire into the validity of the objection or objections, if any, and pass orders in

ation with the Irrigation Panchayet or Board, if one exists for the locality or irrigation work. The order under this section shall be in writing and shall setforth the grounds on which it is based.

3. (*a*) All Irrigation Officers may exercise the powers of the Deputy Commissioner under Section 13 (1) of the Act in respect of irrigation works within their jurisdiction.

(*b*) When the regulation of water-supply is considered necessary in respect of any Irrigation work by the Deputy Commissioner of the District or the Irrigation Officer having jurisdiction over the work, he shall draw up provisional proposals and issue a notice calling for objections, if any, from raiyats holding lands under the irrigation work and from the Irrigation Panchayet or Board within a specified date, to the proposed regulation of water, and shall pass a final order after considering the objections that may be received.

(*c*) If the officer taking action as above is himself not a Public Works Department Officer, he shall invariably consult the Executive Engineer of the Division before passing final orders.

4. (*a*) Applications for supply of water from a new Irrigation work shall be in the form given in Appendix 'A'. They shall be submitted in triplicate; one copy will be filed by the Irrigation Officer and another copy with the Irrigation Officer's order shall be returned to the party duly signed, while the third copy with the Irrigation Officer's order shall be sent forth with to the [1][Tahsildar] or Deputy [1][Tahsildar] of the Taluk or Sub-Taluk, who shall take steps for the collection of the water rate and the contribution, if any.

(*b*) The period and terms of supply of water desired for irrigation from a new irrigation work shall be regulated by the rules issued in respect of such work, and, in the absence of such rules, by the provisions of Section 13.

The rates leviable for the supply of water for irrigation from a new irrigation work shall, unless the same are fixed

1. See the Mysore Adaptation of Laws (Second Amendment) Order, 1957.

by a notice published under Section 20 or by rules fram in this behalf under Section 14, sub-section (1) be det mined in conformity with the provisions of the Land Re nue Code, 1888, and the rules thereunder.

5. *Maintenance of Irrigation Works.*—In the case branch river channels and distributary channels from tanl which are solely intended for purposes of irrigation, t liability to perform customary labour under Section 35 (of the Irrigation Act shall be enforced only on raiya holding wet and garden lands thereunder.

6. The quantum of labour to be contributed by persons liable therefor shall be decided according to t assessment paid by each of them for lands, houses or oth property, etc., attached to the village. The proportion labour to be contributed by Inamdars shall also be fixed the same manner, their lands, etc., being valued at the san rates as those paid for similar property belonging to Sirk raiyats. For the purposes of this rule, one rupee of the d assessment or Village Panchayet Tax shall be regarded one-third of a rupee of wet and garden assessment.

The apportionment of labour under this rule shall b made by the Patel under the instructions of the Revenu Inspector and [1][Tahsildar] and in case of dispute, shall b subject to appeal to higher authorities.

7. The maintenance work shall be carried ou simultaneously by all the raiyats at periods to be fixed b the [1][Tahsildar]. Nevertheless, the Patel shall have th power to call upon the raiyats to do slight repairs i times of emergency, such as rains or floods, and such requisi tion shall be promptly attended to.

8. In case of default by any individual in the execu tion of his obligations, the portion of the work tha ought to have been done by the defaulter shall be carrie out by paid labour, after observing the formalities prescribe in Section 37, and a sum equivalent to the cost thereof shal be recovered from the defaulter as a revenue demand.

1. See the Mamlatdars' [illegible]

9. In the case of a wholesale default by all the raiyats olding lands under the tank, or of cumulative neglect, the ost thereof shall be distributed amongst the persons liable or payment in the same proportion as the portion of the ork they were liable to perform under Rule 6.

10. Whenever, in view of the large number of villages ommanded by a tank or channel, or for any reason, the eputy Commissioner deems it impracticable to have any of l of the items of customary work done by the raiyats, he ay make a recommendation to Government with consent two-thirds of the number of persons bound to perform such bour, to commute it into a cash payment.

11. The rate of acreage cess to be leveid shall be ecified by Government while sanctioning the recommendaon of the Deputy Commissioner, in consultation with the hief Engineer, and it shall be such as will cover in the ggregate the probable annual cost of the maintenance work lieu of which it is recovered.

Irrigation Panchayets and Boards.

12. When the constitution of an Irrigation Panchayet r a village has been decided upon, the date on which and e time and place at which election to the Panchayet shall held, shall be fixed by the [1][Tahsildar] due notice thereof ing given by beat of *tom-tom* in the village, not less than week before the date fixed for the election. A copy of the otice shall be hung up in the Chavadi or at any other nspicuous place in the village a week before the date of ection.

13. All the raiyats who are liable to contribute stomary labour under Sections 35 and 38 of the Act all be entitled to vote and to be elected to the Panchayet, cept those who are below 21 years of age, or who may be herwise declared as disqualified by the Deputy Commis-

shall then and there hear and decide, any [illegible] admission or exclusion of a person as a voter and his decision shall be final.

15. No election shall take place unless more than half the number of persons qualified to vote are present at the meeting.

16. At the meeting, the [1][Tahsildar] shall first make a list of all persons who may either offer to stand for election or may be suggested for candidature, read their names and take votes by the show of hands or in any other manner that he may think fit.

17. Ordinarily, the Patel shall be the Chairman of the Panchayet, but the Deputy Commissioner may, for valid reasons, appoint any other member of the Panchayet as Chairman.

18. The constitution of an Irrigation Panchayet shal be notified in the Official Gazette.

19. The Deputy Commissioner may, if he thinks fit remove at any time during the term of a Panchayet, any member of such Panchayet for failure to discharge hi duties, or for misconduct or incapacity.

The vacancy that arises by the removal of a member a aforesaid for by death, resignation or any other caus shall be filled up as soon as conveniently may be by th Panchayet from amongst those entitled to be elected an the person so appointed shall hold office during the rest the term of that Panchayet.

20. When an Irrigation Panchayet comes into exi tence, the enforcement of the customary obligations of t raiyats for the maintenance and upkeep of all the irrigati works in their charge shall thereafter vest in the Panchay subject to the control of the [1][Tahsildar].

21. The Panchayet shall have the power to apporti the work required for the maintenance and upkeep of t irrigation work or works under its control among the raiy

1. See the Mysore Adaptation of Law (Second Amendment) Order, 1957.

22. (1) The Panchayet shall have power to sell—

(*a*) the right of fishing in the tank or tanks under its control;

(*b*) the right of grazing in the tank bed and the right of cutting and removing the grass on the tank bund; and

(*c*) the produce of the trees in the tank and on the bund, if any.

(2) The Panchayet shall also have power to grant the bed of the tanks under its contol for temporary cultivation of quick growing crops on such terms as regards payment of rent or share of produce as may be deemed fit by it, provided that it shall be competent to the Deputy Commissioner to prohibit such cultivation in any tank or in any season.

23. (1) The Panchayet shall have control over a fund to be called the Irrigation Fund, made up of the following items:—

(*a*) The amounts collected from raiyats under Rule 21.

(*b*) The rent or value of the share of produce or the sale proceeds received under Rule 22.

(*c*) Such grant of Irrigation Cess Fund as the Government may from time to time make to the fund.

(*d*) Any other grant which the Government may make to the fund.

(*e*) Any advance which the Government may make to the Panchayet for the execution of masonry and stone work, and

(*f*) Any loan which the Government may make to the Panchayet for carrying out the purposes of the Act.

(2) The fund shall be deposited in a Government Savings Bank or with a Co-operative Society approved by

puty Commissioner and shall be available to the yet for the maintenance and upkeep of the irrigation under its control.

All moneys due to the Irrigation Fund under 3, shall, in default of payment by the person from such moneys may be due, be recoverable by the ldar] as an arrear of land revenue.

(*a*) Ordinarily, the Panchayet shall meet once vo months.

b) Special meetings may, on the requisition of two rs, or at the discretion of the Chairman, be held as necessary.

c) The Chairman shall give due notice of the date h and the time and place at which the meeting held to all the members of the Panchayet.

d) No business shall be transacted at any meeting h two-thirds of the members are not present.

e) Every meetig shall be presided over by the an and in this absence by one of the members chosen meeting of the occasion.

f) All questions shall be decided by a majority of the members present and voting, the Chairman a casting vote in all cases of equality of votes.

g) All decisions arrived at shall be recorded in a pt for the purpose and shall be signed by the Chair-

Every Panchayet shall maintain the following s and books :—

(*a*) Cash Book	(*d*) Proceedings Book
(*b*) Tank Register	(*e*) Ledger
(*c*) Work Register	(*f*) Inspection Book

The accounts shall be systematically audited by he members of the Panchayet to be appointed by it tor for each year. They will be open to inspection Revenue and Public Works Department Officers above the grade of Revenue Inspectors and Public

the Mysore Adaptation of Law (Second Amendment) Order, 1957.

Works Department Sub-Division Officers, and will be checked by the [1][Tahsildar] and [1][Deputy Tahsildar] once a quarter, a report of the result of such a check being made to the Deputy Commissioner through the Sub-Division Officer. It shall also be the duty of the Huzur Jamabandi Officer to check these accounts regularly and to certify to their accuracy.

28. Every Panchayet shall submit the following accounts and returns to the [1][Tahsildar] or [1][Deputy Tahsildar] once a quarter not later than the 20th of October, January, April and July in each year :—

(1) Quarterly Demand, Collection and Balance Statement ;

(2) Copies of proceedings of the Panchayet ; and

(3) Statement showing the progress of works undertaken by the Panchayet.

29. In the case of an irrigation work, irrigating lands in more than one village, the Deputy Commissioner may, if he deems it expedient, constitute an Irrigation Board consisting of all the members of the constituent Panchayets or delegates therefrom, as the circumstances may require. In the latter case, the delegates shall be elected by each Panchayet from amongst its members, the number to be assigned to each Panchayet being determined by the Deputy Commissioner as nearly as may be in the proportion of the irrigable area of each village.

30. An Irrigation Board shall consist of not less than 5, and not more than 15 members.

31. The Chairman of the Board shall be nominated by the Deputy Commissioner from amongst the members of the Board.

32. Rules 18 to 28 shall apply, as far as possible to Irrigation Boards also.

33. When an Irrigation Board has been duly constituted in respect of an irrigation work, the Irrigation Panchayets of the villages irrigated by the work, shall cease to function in respect of such irrigation work.

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1. See the Mysore Adaptation of Law (Second Amendment) Order, 1957.

the Deputy Commissioner and shall be available to Panchayet for the maintenance and upkeep of the irrigat works under its control.

24. All moneys due to the Irrigation Fund un Rule 23, shall, in default of payment by the person fr whom such moneys may be due, be recoverable by [1][Tahsildar] as an arrear of land revenue.

25. (*a*) Ordinarily, the Panchayet shall meet on every two months.

(*b*) Special meetings may, on the requisition of t members, or at the discretion of the Chairman, be held often as necessary.

(*c*) The Chairman shall give due notice of the da on which and the time and place at which the meeti shall be held to all the members of the Panchayet.

(*d*) No business shall be transacted at any meeti at which two-thirds of the members are not present.

(*e*) Every meetig shall be presided over by t Chairman and in this absence by one of the members chose by the meeting of the occasion.

(*f*) All questions shall be decided by a majority votes of the members present and voting, the Chairma having a casting vote in all cases of equality of votes.

(*g*) All decisions arrived at shall be recorded in book kept for the purpose and shall be signed by the Chair man.

26. Every Panchayet shall maintain the followin accounts and books :—

(*a*) Cash Book	(*d*) Proceedings Book
(*b*) Tank Register	(*e*) Ledger
(*c*) Work Register	(*f*) Inspection Book

27. The accounts shall be systematically audited by one of the members of the Panchayet to be appointed by it as Auditor for each year. They will be open to inspection by all Revenue and Public Works Department Officers of and above the grade of Revenue Inspectors and Public

1. See the Mysore Adaptation of Law (Second Amendment) Order, 1957.

(RECEIVED THE ASSENT OF HIS HIGHNESS THE MAHARAJA ON THE ELEVENTH DAY OF JULY 1932.)

Order No. P. 380—Legis. 32-31-3, Bangalore, dated the 19th July 1932.

Ordered that the accompanying Act to provide for the proper regulation and control of water from Irrigation Works, for the regulation of customary labour and for certain other matters pertaining to irrigation which received the assent of His Highness the Maharaja, on the eleventh day of July 1932, be published as Act No. I of 1932, in the *Mysore Gazette* for general information.

N. MADHAVA RAO,
Chief Secretary to Government.

The Mysore Irrigation Act, No. I of 1932.

WHEREAS it is expedient to make adequate provision for the proper regulation and control of the supply of water from irrigation works, for the regulation of customary labour and for certain other matters pertaining to irrigation; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. This Act may be called the Mysore Irrigation Act, 1932.

2. The Government may, by notification in the *Official Gazette*, extend this Act, or any portion thereof, to any local area or to any irrigation work or class of irrigation works, and may also by a like notification subsequently exclude any portion of such local area or any such irrigation work or class of irrigation works from the operation of this Act, from such date as may be specified therein.

All existing Acts, rules, orders or usages having the force of law, in so far as they are inconsistent with any of

he provisions of this Act and the rules made thereund
n the areas and with respect to the irrigation works
lasses of irrigation works to which this Act is extende
re repealed to the extent to which they are so inconsister

Provided that nothing herein contained shall deemed to affect any acts done or liabilities incurr under the said Acts, rules, orders or usages having t force of law.

3. In this Act, unless there is anything repugna in the subject or context:—

(1) "Irrigation Work" includes—

(*a*) all reservoirs, tanks, anicuts, canals, chann *thalapariges* and pipes constructed, maintained or co trolled wholly or mainly by the Government for the supp or storage of water;

(*b*) all works, embankments, structures, supply a escape channels, connected with such reservoirs, tan anicuts, canals, channels, *thalapariges* or pipes and roads constructed for the purpose of facilitating the co struction or maintenance of such reservoirs, tanks, anicu canals, channels, *thalapariges*, or pipes;

(*c*) all water courses and drainage works as he inafter defined;

(*d*) all lands occupied by the Government for t purposes of such reservoirs, tanks, anicuts, canals, channe *thalapariges*, pipes and all buildings, machinery, lenc gates and other erections, occupied by or belonging to t Government upon such lands:

(2) "New Irrigation Work" means any work irrigation as defined in clause (1), constructed or complet after this Act comes into force and includes extensio of irrigation works made after this Act comes into force:

(3) "Water Course" (*hikkal*) means any chan or pipe which is supplied with water from an irrigati work, but which is not maintained at the cost of the Go ernment, and includes all subsidiary works connected wi any such channel or pipe except the sluice or cut through which water is supplied to such channel pipe:

(4) "Drainage Work" includes channels, eith natural or artificial, for the discharge of waste or surpl water, and all works connected with or auxiliary to su channels and escape channels from an irrigation wo

ankments, sluices, groins and all works or the protection of lands from flood or from erosion ormed or maintained by the Government either wholly r in part:

(5) "Deputy Commissioner" includes any officer ppointed by the Government to exercise all or any of the owers of a Deputy Commissioner under this Act: 'Deputy Commissioner.'

(6) "Irrigation Officer" means any officer not below the rank of an Assistant Commissioner or an Assistant Engineer appointed by the Government to exercise all or ny of the functions of an Irrigation Officer under this ct: 'Irrigation Officer.'

(7) "Amildar" includes a Deputy Amildar: 'Amildar.'

(8) "Owner" includes every person having an nterest in the ownership of the thing specified: 'Owner.'

(9) "Occupier" means, in respect of any land any erson who has an interest in the land and cultivates the and himself or by his servants, or by hired labour and ncludes a tenant: 'Occupier.'

(10) "Magistrate" means a Magistrate of the first r second class and includes a Magistrate of the third class specially empowered by the Government to try offences nder this Act. 'Magistrat

4. The Government or, subject to such rules as may e made under this Act, any officer whom the Government empowers in this behalf, may declare by notification n the *Official Gazette*, the officers by whom and the local limits within which all or any of the powers or duties hereinafter conferred or imposed on the Deputy Commissioner and the Irrigation Officer, shall be exercised or performed. Appointme of officers.

CHAPTER II.

OF THE CONTROL OF WATER AND OF IRRIGATION WORKS.

5. Any Irrigation Officer appointed in this behalf and any person acting under the general or special orders of such Irrigation Officer may enter upon any land building or water course, for the purpose of inspecting or regulating the use of water, of measuring the land irrigated thereby, and of doing anything necessary for the proper regulation, maintenance and management of any irrigation work. Power to enter upo land for purposes o inspection etc.

Powers for repairing or preventing damage to an irrigation work.

6. On any damage happening or being apprehended to any irrigation work or in any other emergency, any Irrigation Officer and any person acting under his general or special orders in this behalf, may at any time enter upon any lands adjacent to, or in the neighbourhood of, any irrigation work, and may repair any existing work, construct any new work, or take and utilise any material and take any measure or do anything that may, in his opinion, be necessary to prevent such accident or to save loss or damage to any property or to repair any damage done.

Notice of intended entry on private property to be given in certain ca es.

7. When an Irrigation Officer, or any person acting under his general or special orders in this behalf, proposes under the provisions of section 5 or section 6 to enter into any building or enclosed court or garden attached to a dwelling house into which water does not flow from any irrigation work, he shall previously give to the occupier of such building, court or garden, such reasonable notice as the urgency of the case may allow. Such notice shall be in writing except in a case of emergency.

CHAPTER III.

Of Water Courses.

Construction, extension, improvement or alteration of a water course on the application of person interested.

8. (1) Any person desiring the construction, extension, improvement, or alteration of a water course may apply in writing to the Irrigation Officer, and the said officer may, after giving such notice and causing such enquiries as may be prescribed by rules framed by the Government for the purpose, either permit the applicant to construct, extend improve or alter the said water course or, if the applicant so desires, have it constructed, extended, improved or altered through Government agency on such terms and conditions as regards payment of costs, mode of execution and time of completion, facilities to be afforded by the applicant to safeguard other interests or to benefit other lands whose owners may apply for the same, and other matters as may be relevant each case, or may reject the application.

From the order of the Irrigation Officer an appeal ıll lie within thirty days from the date of the service of ; said order, to the Deputy Commissioner of the strict and ,from his decision, a second appeal shall lie

within ninety days from the date of the service of such appellate order to the Revenue Commissioner whose decision thereon shall be final.

(2) If is necessary to acquire any land for the purposes of sub-section (1) the Deputy Commissioner may proceed to acquire the same under the provisions of the Land Acquisition Act, 1894.

Explanation:—Notwithstanding anything contained in the *proviso* to section 6 (1) of the Land Acquisition Act, 1894, the acquisition of any land under sub-section (2), shall be deemed to be for a public purpose.

No alteration of water course except with consent of Irrigation Officer.

9. No water course constructed, extended, improved, or altered under the provisions of section 8 shall be altered without the consent of the Irrigation Officer.

Obligations of owners of land receiving supply from water course

10. Every owner or occupier of land which receives a supply of water from a water course shall be bound—

(*a*) to maintain such water course in a fit state of repair;

(*b*) to allow the use of it to any person entitled to the same by reason of an order passed under section 8 or otherwise.

Enforcement of said obligations.

11. (1) If any owner or occupier of land which receives a supply of water from a water course fails to fulfil any obligation imposed on him by sub-clause (*a*) of section 10, the Irrigation Officer may require him by notice to execute the necessary work or repair within such period, not less than five days from the date of service of notice, as may be prescribed therein, and in case of his default, may execute the same on his behalf.

(2) The expenses incurred by the Irrigation Officer on any work or repair under sub-section (1) shall be recoverable from the defaulter as an arrear of land revenue.

Settlement of disputes concerning water-courses.

12. Whenever a dispute arises between two or more persons in regard to their mutual rights or liabilities in respect of the use, construction or maintenance of a water course, or among joint owners of a water course as to their respective shares of the expense of constructing or maintaining such water course or as to the amount severally contributed by them towards such expense, or as to failure on the part of any owner to contribute his share, any person interested in the matter of such dispute may apply in writing to the Irrigation Officer stating the matter in

Such officer shall thereupon proceed to make a summary enquiry into the matter in the manner prescribed in the Mysore Land Revenue Code, 1888, and pass his decision thereon.

From the decision of the Irrigation Officer an appeal shall lie within thirty days from the date of the service of the said decision to the Deputy Commissioner of the District whose order thereon shall remain in force, until set aside by a decree of a Civil Court.

CHAPTER IV.

REGULATION OF IRRIGATION.

Regulation of water-supply from irrigation work.

13. (1) The Deputy Commissioner of the District or any other officer specially empowered by the Government in this behalf may regulate in respect of any irrigation work for each year or for a specified term of years at a time, as circumstances may require,

(i) the time for letting out water for irrigation,
(ii) the period of the supply and
(iii) the quantity of the supply,

after holding such enquiry as may be provided for by rules framed by the Government.

(2) From the order of an officer other than the Deputy Commissioner under sub-section (1), an appeal shall lie to the Deputy Commissioner of the District within thirty days from the date of such order and from the original or appellate order of the Deputy Commissioner, an appeal shall lie to the Revenue Commissioner within ninety days of such order.

Supply of water from a new irrigation work.

14. (1) Every person desiring the supply of water from a new irrigation work shall submit a written application to that effect to the Irrigation Officer in such form as may be prescribed by the Government.

If the supply of water is desired for Irrigation, it may be granted for such period and on such terms as may be prescribed by rules framed by the Government.

(2) Notwithstanding anything contained in sub section (1), the rates leviable for the supply of water for irrigation from a new irrigation work constructed at an outlay of less than one lakh of rupees and not falling under Chapter VI of this Act shall be fixed in

conformity with the provisions of the Mysore Land Revenue Code, 1888, and the rules thereunder,

provided that when such work is itself an extension of a new irrigation work constructed at a cost of not less than one lakh of rupees, the provisions of sub-section (1) shall apply irrespective of the cost of the work.

(3) If the application is for the supply of water for purposes other than those of irrigation, the Irrigation Officer may, with the sanction of the Government, permit water to be taken for such purposes subject to such special conditions and restrictions as the Government may impose in each case.

Supply of water not be stopped except under certain circumstances.

15. The supply of water to any water course or to any person who is entitled to such supply shall not be stopped except in the circumstances and subject to the limitations specified below, namely,

(*a*) whenever and so long as it is necessary to stop such supply—

(i) for the purpose of executing any work ordered by competent authority ; or

(ii) in order to supply in rotation the legitimate damand of other persons entitled to water ;

(*b*) whenever and so long as any water course by which such supply is received is not maintained in such repair as to prevent the wasteful escape of water therefrom ;

(*c*) whenever and so long as it may be necessary to do so in order to prevent the wastage or misuse of water ;

(*d*) within the periods fixed from time to time by an Irrigation Officer acting under section 16, of which reasonable notice shall be given.

Power of Irrigation Officer to determine the irrigable area and grant remission of assessment.

16. (1) An Irrigation Officer specially empowered by the Government, in this behalf, may, in any year, having regard to the quantity of water available in any irrigation work under his control determine the portion of the wet lands in the irrigable area of such irrigation work to be cultivated with wet crops, or with dry or semi-dry crops, and regulate the supply of water for irrigation accordingly.

(2) If, in accordance with a decision of the Irrigation Officer under sub-section (1), any land assessed as wet is not supplied with water for raising wet crops, the holder of such land shall be entitled to remission of one-half of the assessment of such land.

From the order of the Irrigation Officer under this section, an appeal shall lie within thirty days from the

date of the service of the said order, to the Deputy Commissioner of the District, and from his decision a second appeal shall lie within ninety days from the date of the service of such appellate order, to the Revenue Commissioner whose decision shall be final.

Right to the supply of water passes with the property entitled to the supply.

17. (1) All rights to the supply of water from an irrigation work to any land, building or other immovable property shall be presumed to have passed to the transferee wtih the transfer of such land, building or other immovable property whenever such a transfer has been effected.

(2) No person entitled to the use of any irrigation work or land appertaining to any irrigation work or to use the water of any irrigation work shall sell or sub-let or otherwise transfer his right to such use without the permission of the Irrigation Officer duly empowered to grant such permission except when such right is transferred with the land, building or other immovable property having such right.

CHAPTER V.

OF THE AWARD OF COMPENSATION.

Compensation awardable for damage.

18. Compensation may be awarded in respect of any substantial damage caused by the exercise of any of the powers conferred by this Act, which is capable of being ascertained at the time of awarding such compensation.

Provided that no compensation shall be so awarded in respect of any damage arising from--

(*a*) deterioration of climate or soil;

(*b*) stoppage of navigation or of the means of floating timber or of watering cattle; or

(*c*) stoppage or diminution of the supply of water of any river or stream flowing in a natural channel or of any lake or natural collection of still water by the application of such supply for the purposes of a new irrigation work or otherwise, except in so far as a right to the use of such supply may be established; or

(*d*) failure or stoppage of the water in a channel, when such failure or stoppage is due to,

(1) any cause beyond the control of Government,

(2) the execution of any repairs, alterations or additions to the channel, or

(3) any measures considered necessary by any Irrigation Officer duly empowered in this behalf for regulating the proper flow of water in the channel, or for maintaining the established course of irrigation, or under section 15;

but any person who suffers loss from any stoppage or diminution of his water-supply due to any of the causes named in clause (*d*) of the proviso under this section, shall be entitled to such remission of the water-rate payable by him as may be authorised by the Government. Rem wate whe allov

19. No claim for compensation under this Act for any damage shall be entertained after the expiration of one year from the time when the damage complained of commenced, unless the Deputy Commissioner is satisfied that the claimant had sufficient cause for not making the claim within such period. Lim clain

20. In every case of entry upon any land or building or the utilisation of materials under sections 5 and 6, the Irrigation Officer or the person making the entry shall ascertain and record the extent of the damage, if any, caused by the entry, or in the execution of any work, to any crop, tree, building or other property, and the value of the materials taken or utilised, Com tion dam caus entr etc.

and within one month from the date of such entry compensation shall be tendered by the Irrigation Officer to the landholder or owner of the property.

21. If such tender is not accepted, the Irrigation Officer shall forthwith refer the matter to the Deputy Commissioner for the purpose of making enquiry as to the amount of compensation and deciding the same. Enq com tion

22. All claims for compensation under this Act other than claims of the nature provided for in section 20, shall be made to the Deputy Commissioner having jurisdiction over the local area wherein the land or part thereof in respect of which damage is alleged to have been caused is situate. Clai pref the Com sion

The Deputy Commissioner shall enquire into all such claims and determine the amount of compensation, if any, which should be awarded. Dep mis det am com tion

23. An appeal shall lie to the Revenue Commissioner from the decision of the Deputy Commissioner under Ap

ither of the two preceding sections as to the amount of ompensation to be awarded within ninety days from the ate of such decision and the decision of the Revenue ommissioner thereon shall be final.

24. All sums of money payable for compensation warded under this chapter shall become due three months fter the final award has been made;

and, simple interest at the rate of six per cent per nnum shall be allowed on any such sum remaining unpaid fter the said three months, except when the non-payment f such sum is caused by the neglect or refusal of the laimant to apply for or receive the same.

CHAPTER VI.

Of the Construction and Improvement of Irrigation Works On Special Terms.

25. Whenever it appears to the Government that ne construction or improvement of an irrigation work n any local area cannot be undertaken unless, on the lands rrigable by such work, payment of a specified acreage ontribution or water-rate or both, is guaranteed, the overnment shall direct the Deputy Commissioner or any ther officer appointed by it in this behalf to hold an nquiry in the manner hereinafter provided.

The Government may by notification in the *Official Gazette* declare that the provisions of this section shall ot apply to the construction or improvement of any irriation work or any class of irrigation works.

Explanation.—"Improvement" in this chapter means nly such improvement of an irrigation work as will naterially enhance the supply of water available therein or irrigation.

26. The Deputy Commissioner or other officer ppointed to make the enquiry shall publish a notice in ne village or villages concerned specifying the place at hich and the date (which shall not be earlier than thirty ays after the last date of such publication) on which the nquiry will be held. The notice shall set forth the genel scheme of the proposed construction or improvement, n estimate of the capital and recurring expenditure involved, the area which will be benefited by the scheme

(hereinafter called the benefited area) and the rates at which it is proposed to levy contribution or water-rate or both in respect of the lands within the benefited area, and shall invite the holders of such lands to submit any objections or suggestions that they may desire to make on or before the date prescribed in the notice and to produce evidence, if any, in support of such objections or suggestions on the date appointed for the holding of the enquiry.

Report of the enquiring officer.

27. If the Deputy Commissioner or other officer appointed to make the enquiry after considering any objections or suggestions duly submitted and the evidence, if any, produced and taking such further evidence as he thinks necessary, finds that the holders of at least two-thirds of the land within the benefited area give their consent in writing to such construction or improvement and to the payment of the proposed contribution or water-rate or both, he shall embody his proceedings in a report, and submit the same to the Government together with a statement of objections and suggestions presented to him and any remarks he may desire to make in respect of them.

Government may abandon or proceed with the scheme.

28. Upon receipt of the report submitted under section 27, the Government may, after such further enquiry, if any, as it may make, either abandon the scheme, or proceed with the scheme in the original form or with such modifications as it may consider necessary; provided that where the modifications involve a substantial increase in the benefited area or in the acreage contribution or water-rate to be imposed, the provisions of sections 26 and 27 shall apply to the altered scheme.

Publication of the scheme as finally approved by the Government.

29. (1) The scheme as finally approved by the Government shall be published in the *Official Gazette*, and it shall embody the following particulars:—

(*a*) a specification of the work which it is proposed to construct or improve and an estimate of the capital and recurring expenditure involved thereby;

(*b*) the estimated time required for the completion of the work;

(*c*) a description of the benefited area;

(*d*) the rates at which contribution will be recovered in respect of the lands in the benefited area and the terms of such recovery;

(*e*) the rates at which water-rate will be imposed on the lands in the benefited area, and

(*f*) the fact that the consent of the holders of such land has been obtained as provided in this chapter.

(2) The contribution referred to in clause (*d*) of sub-section (1) shall in no case exceed one-third of the difference between the value of the wet and dry lands in the locality.

(3) The water-rate referred to in clause (*e*) of sub-section (1) shall be liable to revision after the expiry of a period of ten years and thereafter at intervals of not less than fifteen years.

(4) The publication under sub-section (1) of a scheme as approved by the Government shall be conclusive proof that any consent recorded therein has been duly obtained.

Levy of contribution and water-rate on lands within the benefited area.

30. After the scheme has been carried out, the Deputy Commissioner may, subject to such rules as may be prescribed by the Government in this behalf, levy from the holders of land within the benefited area in addition to the assessment fixed under the provisions of section 11 of the Mysore Land Revenue Code, 1888, contribution or water-rate or both at the rates referred to in section 29. Such contribution or water-rate shall be recoverable as a revenue demand.

Provided that the Deputy Commissioner may exempt from the whole or any part of this liability any land in the benefited area on the ground that the benefit from the irrigation work does not reach such land.

Provided further that when a water-rate is levied from the holder of any land under this section, no such rate shall be leviable in respect of such land under the provisions of section 53 of the Mysore Land Revenue Code 1888.

CHAPTER VII.

Of Obtaining Labour in Emergencies.

Impressment of labour for urgent works of repair, etc.

31. (1) Whenever it appears to an Irrigation Officer or in his absence the Amildar of the taluk that unless some work or repair is immediately executed, an irrigation work would sustain such serious damage as to cause sudden and extensive public injury,

or that unless some clearance, of an irrigation work which is necessary in order to maintain the established

ourse of irrigation or drainage is immediately executed, erious public loss would occur,

and that the labourers necessary for the proper xecution of such work, repair or clearance cannot be btained in the ordinary manner in time to prevent such njury or loss,

it shall be lawful for such officer to require the atel or patels of the village or villages in the vicinity to all upon all or any of the able-bodied male persons who eside or hold land in or near the locality where such work epair or clearance has to be executed to assist in the xecution of the same by their labour, as such officer or ther person authorised by him in this behalf may direct.

(2) Every person so authorised shall be deemed o be a public servant within the meaning of the Indian Penal Code.

Report to be made by Irrigation Officer.

An order made under the section shall be immediately reported to the Deputy Commissioner.

Payment for labour impressed.

32. All persons labouring or detained for the purpose of labouring by day in compliance with a requisition made under section 31 shall, as soon as may be reasonably practicable and in any case within fifteen days from the date of such impressment, be paid by the Irrigation Officer or the Amildar, as the case may be, for their labour and detention at twenty-five per cent in excess of the rates for the time being prevailing in the neighbourhood. If the persons are required to work or are detained at night, they shall be paid at double such rates.

Appeals against orders under section 32.

33. Any person who does not accept the amount tendered in payment under section 32, may appeal within thirty days from the date of such tender, to the Deputy Commissioner, whose decision shall be final.

CHAPTER VIII.

Of Customary Labour.

Works for which customary labour is enforceable.

34. The provisions of this chapter shall apply to tanks, river and spring channels, feeder channels connected with tanks, and other irrigation works which have been brought up to standard and handed over to the raiyats for upkeep.

* 34A. For the purposes of this chapter, an irrigation work includes such work in an inam village, though it is not constructed, maintained or controlled wholly or mainly by Government.*

— Added by Act VII of 1938.

Nature of, and persons liable to, to perform customary labour and the levy of cash contribution in lieu of labour.

35. (1) Every occupier of land, irrigated or served by any irrigation work, as well as the inhabitants of the village or villages and all others who derive any benefit, directly or indirectly from the work, shall perform, in respect of such work, without payment, the following customary labour:—

(*a*) filling up gullies, cracks, ruts and holes in the earth work;

(*b*) removing any rank growth or pernicious weed;

(*c*) clearing such underwood as may be considered by the Irrigation Officer to be injurious;

(*d*) clearing sand or silt from sluices and branch channels and repairing the earthwork of petty and branch channels and clearing the accumulation in sluices and in all channels issuing from tanks, which obstruct the flow of water to the fields;

(*e*) maintaining the bund to the standard level and with the slopes specified;

(*f*) keeping in order the feeder channels of tanks;

(*g*) watching the bunds during rainy weather, ing the parts acted on by the waves, helping in open- and closing the sluices, and generally performing ıor duties of this nature in order to prevent breaches . other accidents.

Explanation.—All land forming part of the registered ecognised *atchkat* of an irrigation work shall be deemed be land irrigated by this work, within the meaning his section.

(2) The Government may, by an order, direct in ject of all or any of the aforesaid works in any locality t the customary labour to be performed under this ion need not be performed either wholly or in part, or t in lieu of such labour, a contribution in cash at such s as may be fixed under rules made in this behalf be ed from the persons bound to perform the same; vided that no such order of commutation shall be made ept with the consent of two-thirds of the number of sons bound to perform such labour. Such order may, ny time, be cancelled or modified by the Government.

36. It shall be the duty of the patel of every village d the inamdar in the case of an inam village* to see that espect of any irrigation work situated in the village or ages in his charge the customary labour specified in ion 35 is duly performed and the work maintained in efficient condition.

— Added by Act VII of 1938.

37. If any person, who under this chapter is bound to contribute labour towards any irrigation work, neglects or refuses to do so, the patel, *the inamdar in the case of an inam village*, or other officer empowered by Government in this behalf, may get the work performed by hired labour, after giving notice by beat of drum in the villages in which the persons bound to do the work ordinarily reside or the land served by such irrigation work is situate, requiring such persons to carry out the work by a specified date and on their failure to comply with the requisition within the appointed time. Execution of work with hired labour on failure of customary labour.

38. The quantum of labour which each person liable under section 35 is bound to contribute, and the proportionate share of labour for each village where an irrigation work serves more than one village, shall be determined in accordance with rules framed by the Government in this behalf. Determination of quantum of labour to be contributed.

39. Whenever any person who is bound to contribute labour under section 35, neglects or fails to do so without sufficient and reasonable cause, the Irrigation Officer may levy from such person a sum equivalent to the value of the labour which such person is bound to contribute, and such amount shall be recoverable as an arrear of land revenue. Penalty for failure to perform customary labour.

From the order of the Irrigation Officer, an appeal shall lie, within thirty days from the date of service of the order to the Deputy Commissioner, whose decision shall be final.

CHAPTER IX.

Of Irrigation Panchayets and Boards.

40. Subject to such general or special rules as the Government may make in this behalf, the Deputy Commissioner may, when he is satisfied that a demand exists, constitute an Irrigation Panchayet for a village. Constitution of an Irrigation Panchayet.

Such Panchayet shall consist of the patel and the shanbhog of the village who shall be *ex officio* members and of not less than five and not more than seven other members who shall be elected in accordance with rules made under this Act, by and from among occupiers of land who are interested by reason of such occupation in the proper maintenance of such work.

* * Added by Act VII of 1899

CHAPTER X.

PENALTIES AND PROCEDURE.

Offences under the Act.

46. Whoever voluntarily and without proper authority—

(*i*) damages, alters, enlarges or obstructs any irrigation work;

(*ii*) interferes with, increases, or diminishes the supply of water in, or the flow of water from, through, over, or under any irrigation work or does any act which renders such irrigation work less useful than is intended for the purpose for which it was constructed;

(*iii*) opens, shuts or obstructs, or attempts to open shut or obstruct, any sluice in any irrigation work;

(*iv*) corrupts, or fouls the water of any irrigation work so as to render it less fit for the purpose for which it is ordinarily used;

(*v*) destroys, defaces or moves any land or level-mark or water-gauge fixed by the authority of a public servant;

(*vi*) destroys, tampers with, or removes any apparatus, or part of any apparatus, for controlling, regulating or measuring the flow of water in any irrigation work;

(*vii*) causes any animal or vehicle to pass on or across any of the works, banks or channels of an irrigation work contrary to rules made under section 56 after he has been required to desist therefrom;

(*viii*) causes or permits any animal to graze or be tethered upon the bank or border of any irrigation work;

(*ix*) removes or injures any tree, bush, grass or other vegetation intended for the protection of any irrigation work;

(*x*) puts up a dam across or otherwise obstructs the free course of water, the right to which vests in the Government;

(*xi*) violates any rule made under section 56, the breach whereof is declared to be an offence punishable under this section; and whoever

(*xii*) being responsible for the use and maintenance of a water course, neglects to take proper precautions for the prevention of waste of the water thereof, or interferes with the authorised distribution of the water therefrom.

Provided that no person shall be punished twice for the same act or omission.

Power to remove obstruction or damage to works

51. Any person in charge of or employed upon any irrigation work, may remove from the lands or buildings belonging thereto, or may take into custody without a warrant, and take forthwith before a magistrate or to the nearest police station to be dealt with according to law, any person who within his view—

(1) wilfully damages, obstructs or fouls any irrigation work, or

(2) without proper authority interferes with the supply or flow of water, in or from any irrigation work so as to endanger, damage, or render less useful any irrigation work.

CHAPTER XI.

MISCELLANEOUS.

Power of revision.

52. The Government or the Revenue Commissioner may call for and examine the records of the proceedings under this Act of a Deputy Commissioner or any Irrigation Officer subordinate to it or him for the purpose of satisfying itself or himself as to the correctness, legality or propriety of any decision or order passed and the regularity of the proceedings of such officer.

When on examining the records of any case, the Government or the Revenue Commissioner considers that the order or decision of such officer should be revised, it or he may reverse or alter such order or decision or pass such other order as it or he may think fit. The Government alone shall be competent to revise under this section any decision or order which is declared by this Act to be final.

Power to summon and examine witnesses.

53. Any officer empowered under this Act to conduct any enquiry, may exercise all such powers connected with the summoning and examining the witnesses and the production of documents as are conferred on Civil Courts by the Code of Civil Procedure, 1911, and every such enquiry shall be deemed a judicial proceeding.

Manner of serving notices.

54. Service of any notice under this Act shall be made in accordance with the provisions of the Code of Civil Procedure, 1911.

Provided that no person shall be punished twice for the same act or omission.

Pow rem obst or d to w

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Pow revi

52. The Government or the Revenue Commissioner may call for and examine the records of the proceedings under this Act of a Deputy Commissioner or any Irrigation Officer subordinate to it or him for the purpose of satisfying itself or himself as to the correctness, legality or propriety of any decision or order passed and the regularity of the proceedings of such officer.

When on examining the records of any case, the Government or the Revenue Commissioner considers that the order or decision of such officer should be revised, it or he may reverse or alter such order or decision or pass such other order as it or he may think fit. The Government alone shall be competent to revise under this section any decision or order which is declared by this Act to be final.

Po sun exa wit

53. Any officer empowered under this Act to conduct any enquiry, may exercise all such powers connected with the summoning and examining the witnesses and the production of documents as are conferred on Civil Courts by the Code of Civil Procedure, 1911, and every such enquiry shall be deemed a judicial proceeding.

Ma ser not

54. Service of any notice under this Act shall be made in accordance with the provisions of the Code of Civil Procedure, 1911.

Jurisdiction of Civil Courts barred.

55. No Civil Court shall take cognizance of any suit filed in respect of any matter dealt with under the provisions of Chapter V, Chapter VI, Chapter VII or Chapter VIII.

Power to make rules.

56. (1) The Government may, after due publication, make rules not inconsistent with this Act to carry out all or any of the provisions of this Act.

(2) The rules made under this section shall be published in the *Official Gazette* and shall thereupon have effect as if enacted under this Act.

MIRZA M. ISMAIL,
Dewan.